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City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, April 5, 2005
10:00 AM
Legislative Chamber - Second Floor
Rescheduled Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

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Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris*

Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll

Supervisors Alioto-Pier, Daly, McGoldrick and Sandoval were noted absent.

Quorum present.

Supervisors McGoldrick and Sandoval were noted present at 10:06 a.m.

Supervisor Daly was noted present at 10:08 a.m.

Supervisor Alioto-Pier was noted at 10:09 a.m.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to approve March 1, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Daly

CONSENT AGENDA

Recommendations of the Land Use Committee

041748 **[Development Agreements]** **Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by amending Sections 56.2 and 56.3 to allow a housing project to enter into a Development Agreement with the City if the project has a minimum of 1,000 units, includes two or more buildings, will be built on a site exceeding two and one-half acres, and provides public benefits beyond those achievable through existing ordinances and regulations; adopting findings under the California Environmental Quality Act.

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Enacted Number: 67-05
FINALLY PASSED

041688 [Residential Rent Ordinance, Additional Keys] Supervisor Daly

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.13 "Keys" to provide that: the landlord must provide additional keys/key-sets within fourteen (14) days of a tenant's written request unless the landlord denies the request in writing within that time period (the current ordinance does not set a deadline for providing the additional keys/key-sets), and failure to respond within the fourteen days constitutes a substantial decrease in housing services; the landlord may charge only for documented replication costs and may not require other charges or deposits or terms or conditions of any kind, and imposing such other terms or conditions constitutes a substantial decrease in housing services; a tenant's petition to the Rent Board to decide a disputed request may include a failure to respond within fourteen days, or a disagreement regarding terms or conditions for the additional keys/key-sets; and, unreasonable denial of additional keys/key-sets also constitutes a "substantial" decrease in housing services (the word "substantial" is new in this provision).

Enacted Number: 66-05
FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

050178 [Regulations for Junk Dealers] Supervisor Maxwell

Ordinance amending San Francisco Municipal (Police) Code Part II, Chapter VII Sections 974.1, 974.4, 974.11, 974.12, 974.14, 974.15, 974.21 and 974.22, and by renumbering and amending 974.10-1, to align definitions to those of the California Business and Professions Code and to define "buy book", require that a permit applicant include additional information in the permit application, including a requirement that a permit holder inform the Police Department if the business will engage in welding, use of a propane tank, or cutting torches operated by compressed gasses and provide copies of permits for those activities; expand the types of information that the Chief of Police may consider in determining whether to grant the permit including convictions for fraud and crimes related to the environment, permit revocations from other government agencies, and civil penalties imposed related to the operation of a junk dealer or hazardous material or the environment; provide examples of types of "cause" that would justify a revocation of the permit and clarify that the standard of proof is a preponderance of the evidence; clarify the prohibition of operating at another location not listed on the permit; set forth the rules under which the permit holder operates, including a requirement that the permit holder keep all items purchased in the same condition for five days, allow non-peace officer who have the authority to enforce rules and regulations on the premises to inspect, maintain a record of all purchases that includes

requiring the seller to produce a valid form of identification for each transaction, maintain the "buy book" in serial-number order for a period of three years and to allow inspection of the book, maintain the sidewalk and other areas adjacent to the premises clear of obstacles, trash and debris, and prevent loitering; clarify that a violation of these provisions is a misdemeanor; and grant the Chief of Police authority to temporarily suspend operation of the business if it presents an immediate threat to the public health and safety; adding Sections 974.10-2 and 974.14-2 to require the permit holder to provide current information to the Chief on an annual basis and to require the Chief to make a determination of whether to move to revoke the permit; and to prohibit the junk dealer from making purchases (1) from anyone who does not have a valid identification, (2) of parts that contain hazardous materials; and (3) of goods that may be stolen; repealing Sections 974.18, 974.19 and 974.24 to repeal the holding period exemption for purchases from other junk dealers; repeal the prior requirements for buy books, and repeal the provision regarding pre-existing permits.

Enacted Number: 69-05

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Daly

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

050071 [Shopping Cart Signage and Security Requirements] Supervisor Ma

Ordinance amending Part II, Chapter X, of the San Francisco Municipal (Public Works) Code by adding Sections 1410-1414, requiring permanently affixed signs on shopping carts, requiring businesses with carts to post signs prohibiting removal from premises and to secure all carts during hours business is closed.

Enacted Number: 68-05

FINALLY PASSED by the following vote:

Ayes: 7 - Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Ammiano, Mirkarimi

Absent: 2 - Alioto-Pier, Daly

Recommendations of the Land Use Committee

Supervisor Daly noted present at 10:06 a.m.

Supervisor Alioto-Pier noted present at 10:09 a.m.

050181 [General Plan amendments in connection with the Transbay Redevelopment Plan] Mayor, Supervisor Daly

Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

(Companion measure to Files 050181, 050182, 050183, and 050184.)

Continued to May 10, 2005

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050182 [Zoning - Planning Code amendments in connection with the Transbay Redevelopment Plan] Mayor, Supervisor Daly

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Continued to May 10, 2005

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan] Mayor, Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Continued to May 10, 2005

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Subcommittee and Committee of the Whole

050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project] Mayor, Supervisor Daly

Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance.

(Fiscal impact.)

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved to refer this matter with pending amendments.

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to incorporate further amendments.

Motion to refer this matter to the Redevelopment Agency with amendments carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued to May 10, 2005

Supervisor Maxwell, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendation of the Budget and Finance Subcommittee

050435 [Rejecting the Mayor's Offer of a Conditional Waiver] Supervisor Daly

Resolution rejecting the Mayor's offer of a conditional waiver to San Francisco Cycling, LLC for the cost of police services.

(Fiscal impact.) (Supervisor Elsbernd dissenting in Committee.)

NOT ADOPTED by the following vote:

Ayes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval
Noes: 6 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin

From the Land Use Committee Without Recommendation

Supervisor Mirkarimi Excused from Voting

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Mirkarimi at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Mirkarimi

050177 [100% owner-occupied TICs] Supervisors Alioto-Pier, Dufty, Elsbernd

Ordinance allowing owners of 2-6 unit buildings to convert the building into a condominium where the building was owned as a tenancy-in-common on January 20, 2005 and was 100% owner-occupied on January 20, 2005 and making environmental findings.

(Primary sponsors: Supervisors Alioto-Pier and Dufty.)

NOT PASSED ON FIRST READING by the following vote:

Ayes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma
Noes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Mirkarimi

Recommendations of the Rules Committee

041489 [Regulation of Electioneering Communications] Supervisors Maxwell, Peskin, McGoldrick, Sandoval, Mirkarimi, Ammiano

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications and by amending Section 1.134 to include electioneering communications within the type of communications that could cause the Ethics Commission to lift the City's expenditure ceilings.

(Supervisor Alioto-Pier dissenting in Committee.)

Supervisor Daly moved to divide the file.

See File No. 050624

DIVIDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

050624 **[Regulation of Electioneering Communications]**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications and by amending Section 1.134 to include electioneering communications within the type of communications that could cause the Ethics Commission to lift the City's expenditure ceilings.

4/5/05 - Board To Sit As A Committee of the Whole

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

050348 **[Authorizing the Mayor to add additional terms and conditions to the memorandum of agreement between the City and participants in the City's Annual Joint Fundraising Drive]** **Mayor, Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by amending Section 16.93-5, to authorize the Mayor to add additional terms and conditions to the memorandum of agreement between the City and participants in the City's Annual Joint Fundraising Drive.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Mirkarimi Excused from Voting

Supervisor Daly, seconded by Supervisor Ammiano, moved to excuse Supervisor Mirkarimi from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Mirkarimi

050531 [Appointment - Association of Bay Area Governments Executive Board]

Resolution appointing Supervisor Ross Mirkarimi, term ending June 30, 2005, to the Association of Bay Area Governments Executive Board.

Supervisor Ross Mirkarimi, succeeding Supervisor Matt Gonzalez, resigned, seat 2, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2005.

Enacted Number: 249-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

050532 [Appointment - Association of Bay Area Governments Finance Authority]

Resolution appointing Supervisor Ross Mirkarimi, term indefinite, to the Association of Bay Area Governments Finance Authority.

Supervisor Ross Mirkarimi, succeeding Supervisor Barbara Kaufman, resigned, seat 1, must be a member of the Board of Supervisors who in turn can appoint up to two alternates to act in his place in all matters authorized, for an indefinite term.

Continued to April 12, 2005

Supervisor Dufty, seconded by Supervisor Ma, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Mirkarimi

Supervisors McGoldrick and Sandoval Excused From Voting

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to excuse Supervisors McGoldrick and Sandoval from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Excused: 2 - McGoldrick, Sandoval

050533 [Appointment - California State Association of Counties]

Resolution appointing Supervisor Jake McGoldrick and Supervisor Gerardo Sandoval, terms ending November 28, 2005, to the California State Association of Counties Board of Directors.

Supervisor Jake McGoldrick, succeeding himself, term expired, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a one-year term ending November 28, 2005. Supervisor Gerardo Sandoval,

succeeding himself, term expired, seat 2, must be a member of the Board of Supervisors, for the unexpired portion of a one-year term ending November 28, 2005.

Enacted Number: 250-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Excused: 2 - McGoldrick, Sandoval

Supervisor Maxwell Excused From Voting

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Maxwell from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

050536 **[Appointment - Peninsula Corridor Study Joint Powers Board]**

Resolution appointing Supervisor Sophie Maxwell, term ending June 30, 2006, to the Peninsula Corridor Study Joint Powers Board.

Supervisor Sophie Maxwell, succeeding herself, term expired, seat 1, must be appointed by the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2006.

Enacted Number: 251-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

050436 **[Clerk of the Board to file inactive Charter Amendments]** **Supervisor Alioto-Pier**

Motion amending Rule 5.37 of the Rules of Order of the Board to require the Clerk of the Board to file proposed Charter Amendments that have not been submitted to the voters by the Board for the next election.

Enacted Number: M05-51

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 10:45 A.M. - Recognition of Commendations

SPECIAL ORDER 11:00 A.M.

050374 **[Public Hearing - Appeal of Tentative Subdivision Map for 4005 Mission Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated February 16, 2005, approving Tentative/Parcel Map to legalize the proposed construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street, San Francisco. (Appellant: Otto Wiegand)

(Companion Measure to Files 050375, 050376, 040377; District 11.)

Jay Ock , President of St. Mary's Park Improvement Club; representing the appellant, Otto Wiegand

Jenny Olsen; support of appellant

Julia; support of appellant

Female Speaker; support of appellant

Casandra Man Kelly; support of appellant

Sue Hestor, Attorney for St. Mary's Park Neighborhood; support of appellant

John Malamut, Deputy City Attorney reviewed with the Board the CEQA issues.

Barabara Moy, Department of Public Works, reviewed with the Board the Department's recommendations.

Jim Reuben, Reuben & Junius; attorney for project sponsor, James O'Donovan

Joe O'Donoghue, Residential Builders Association; support of project sponsor

Rebuttal Period; Sue Hestor, Attorney for St. Mary's Neighborhood

The President inquired as to whether any member of the public wished to address the Board.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Subdivision Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written

correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

050486 **[Affirming the categorical exemption issued for 4005 Mission Street]**

Motion affirming the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-50

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050487 **[Disapproving the categorical exemption issued for 4005 Mission Street]**

Motion disapproving the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050488 **[Preparation of findings related to the categorical exemption issued for 4005 Mission Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 4005 Mission Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

(Only one of the following two motions should be adopted.)

050375 **[Tentative Subdivision Map for 4005 Mission Street]**

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a 3 unit new

condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050376 [Tentative Subdivision Map for 4005 Mission Street]

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map to legalize the construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75, at 4005 Mission Street. (Clerk of the Board)

Amended to include placement and maintenance of trees that would grow to 30 feet.

Enacted Number: M05-49

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050377 [Findings - 4005 Mission Street]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the construction of a 3 unit new condominium project in Assessor's Block 5835, Lot 75 at 4005 Mission Street. (Clerk of the Board)

Enacted Number: M05-48

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

Supervisor Ammiano noted absent at 2:15 p.m.

PUBLIC COMMENT

Eugene Gordon, Jr.; expressed concern over general issues

Walter; expressed concern over more street cleaning

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

050522 [Urging the Mayor to release funds to the Department of Public Health] **Supervisor McGoldrick**

Resolution urging the Mayor to release funding for the Department of Public Health to fund Public Health Nurses, Senior Medical Social Workers, and a Health Care Billing Clerk in FY 04-05.

Enacted Number: 272-05
ADOPTED

050558 [Supporting Day of Silence] **Supervisors Ammiano, Dufty, Elsbernd**

Resolution declaring April 13, 2005 as National Day of Silence in the City and County of San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 252-05
ADOPTED

050559 [Working Families Credit Day] **Supervisors Ammiano, Dufty**

Resolution declaring April 15, 2005 as Working Families Credit Day in the City and County of San Francisco and encouraging all working families in San Francisco that qualify to take advantage of the federal Earned Income Tax Credit.

Enacted Number: 253-05
ADOPTED

050560 [Week of the Young Child] **Supervisors Ma, Dufty**

Resolution recognizing and declaring April 2-10, 2005 as the "Week of the Young Child" in the City and County of San Francisco.

Enacted Number: 254-05
ADOPTED

050561 [Commending Martha Villazon] **Supervisors Maxwell, Dufty**

Resolution commending Martha Villazon for her service to the City and County of San Francisco.

Enacted Number: 255-05

ADOPTED

050563 **[Exploring instituting voter preregistration system for high school students]** Supervisors Mirkarimi, Ma, Elsbernd

Resolution calling for the City and County of San Francisco, in conjunction with the San Francisco Unified School District, to investigate the logistics, both administrative and legal, of establishing for the preregistration of high school students to vote in an effort to create universal voter registration.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 271-05

ADOPTED

050546 **[Needle Exchange Emergency]** Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-47

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

Severed from Without Reference to Committee Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

050562 **[Senate Bill 1020 - Transportation Development Act Funds]** Supervisor McGoldrick

Resolution urging the California State Legislature to support Senate Bill 1020 (Migden) authorizing local jurisdictions to double the current quarter percent sales tax dedicated to local transit and to maintain local streets and roads in rural counties.

REFERRED to the City Operations and Neighborhood Services Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

050591 [Inclusion of transit, pedestrian, and bicycle improvements as part of street improvement projects] — Supervisor Mirkarimi

Ordinance amending the Public Works Code to add Section 2.4.13 to require the integration of transit, pedestrian, and bicycle improvements as part of the construction, reconstruction, or repaving of public right-of-ways.

4/5/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/5/2005. 04/15/05 - Referred to the Small Business Commission for review and comment.

050595 [Environmentally Preferable Purchasing for Commodities] — Supervisors Maxwell, Daly

Ordinance repealing Chapter 2 of the Environment Code which established an environmentally preferable purchasing pilot program and sections 507, 508 and 512 of Chapter 5 and Chapter 9 of the Environment Code which pertain to purchasing certain environmentally preferable commodities and enacting a new Chapter 2 of the Environment Code to establish a comprehensive City-wide Environmentally Preferable Purchasing Program for purchases of commodities; and making conforming changes in Environment Code sections 501, 506 and 511 and Administrative Code sections 21.16 and 21.30.

4/5/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/5/2005. 04/11/05 - Referred to the Dept. of the Environment for review and comment.

050601 [Better Neighborhoods Planning and Implementation Process] — Supervisors McGoldrick, Maxwell, Mirkarimi

Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

4/5/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 5/5/2005.

050602 [Recreation and Park - S.F. Small Craft Harbor — Supervisor Alioto-Pier

Fees]

Ordinance making environmental findings and amending the San Francisco Park Code by repealing Section 12.11 and adopting a new Section 12.11 to increase current fees and add additional rental and services fees at the San Francisco Small Craft Harbor.

4/5/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/5/2005.

Resolutions

050562 **[Senate Bill 1020 - Transportation Development Act Funds]** Supervisor McGoldrick

Resolution urging the California State Legislature to support Senate Bill 1020 (Migden) authorizing local jurisdictions to double the current quarter percent sales tax dedicated to local transit and to maintain local streets and roads in rural counties.

3/29/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/5/05, REFERRED to City Operations and Neighborhood Services Committee.

050589 **[Confirming appointment of Francee Covington to the San Francisco Redevelopment Agency]** Mayor

Resolution confirming the appointment of Francee Covington by the Mayor to the San Francisco Redevelopment Agency.

4/5/05, RECEIVED AND ASSIGNED to Rules Committee. 4/6/05 - Mailed notice to applicant.

050590 **[Confirming the appointment of London Breed to the San Francisco Redevelopment Agency]** Mayor

Resolution confirming the appointment of London Breed by the Mayor to the San Francisco Redevelopment Agency.

4/5/05, RECEIVED AND ASSIGNED to Rules Committee. 4/6/05 - Mailed notice to applicant.

050592 **[Supporting non-discrimination in health care services for Transgender people]** Supervisors Dufty, Ammiano

Resolution supporting non-discrimination in health care services for Transgender people, and endorsing AB 1586.

4/5/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050593 **[Safety Seat Checkup Week]** Supervisors Ma, Dufty

Resolution declaring April 10, 2005 through April 16, 2005 as "Safety Seat Checkup Week" in the City and County of San Francisco.

4/5/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050594 [Public Safety Telecommunications Week] Supervisors Ma, Dufty

Resolution recognizing the hard work and dedication of our public safety professionals and declaring April 10, 2005 through April 16, 2005 as "Public Safety Telecommunications Week" in the City and County of San Francisco.

4/5/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050596 [Traffic Regulation - Galvez Street between Newhall Street and Bayview Plaza Shopping Center] Supervisor Maxwell

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Galvez Street between Newhall Street and Bayview Plaza Shopping Center from 7:30 A.M. to 3:30 P.M. on every Saturday between May 21, 2005 through December 10, 2005.

4/5/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 04/15/05 - Referred to Parking and Traffic for review and determination of environmental impact. 04/18/05 - Response received from Parking and Traffic, categorically exempt from environmental review. 04/26/05 - Parking and Traffic notified of hearing for posting requirements and advertisement placed in the 05/03/05 edition of theSF Chronicle.

050597 [Urging the Redevelopment Agency to establish a policy to use 50% of Redevelopment Tax Increment proceeds for affordable housing] Supervisor Maxwell

Resolution urging the Redevelopment Agency of the City and County of San Francisco to establish a housing policy setting a clear intent to use over 50% of total tax increments funds for low and moderate income housing and to include a statement of such intent in all future redevelopment plans submitted to the Board of Supervisors for its approval.

4/5/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050598 [Accept-Expend Federal Funding - Community Development Block Grant] Mayor

Resolution approving the 2005 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2005 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and Program Income of $31,336,306 which include indirect costs of $120,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs.

4/5/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050599 [Accept-Expend Federal Funding - HOME Program] Mayor

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend the City's 2005 HOME Program entitlement grant from

the U.S. Department of Housing and Urban Development (HUD) and Program Income of $10,804,442 for the HOME Program authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2005 Action Plan for San Francisco's Consolidated Plan.

4/5/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050600 **[Federal Funding - Emergency Shelter Grants Program]** Mayor

Resolution approving the 2005 Emergency Shelter Grants Program and Expenditure Schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept and expend a $923,756 entitlement grant under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development.

4/5/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050603 **[Declaring April 13, 2005 Healthcare for All Children Day]** Supervisor Dufty

Resolution declaring April 13, 2005 Healthcare for All Children Day.

4/5/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050607 **[Approving San Francisco Local Hazard Mitigation Plan]** Supervisor Alioto-Pier

Resolution approving the Association of Bay Area Governments Report "Taming Natural Disasters" as the City and County of San Francisco's Local Hazard Mitigation Plan.

4/5/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050608 **[Dance Week in San Francisco]** Supervisor Dufty

Resolution supporting Bay Area Celebrates National Dance Week, and declaring April 22 through May 1, 2005 as Dance Week in San Francisco.

4/5/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050609 **[Rejecting Sewer Rate Increase]** Supervisors McGoldrick, Mirkarimi

Resolution rejecting the Public Utilities Commission's most recent sewer rate increase.

(Fiscal impact.) (Supervisors Ma and McGoldrick dissenting in Committee.)

4/5/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050614 **[Rejecting Water Rate Increase]** Supervisor McGoldrick

Resolution rejecting the Public Utilities Commission's most recent Water

Rate increase.

(Fiscal impact.)

4/5/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050610 **[Foster Care Month]** **Supervisors Maxwell, Dufty**

Resolution recognizing May 2005 as Foster Care Month.

4/5/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050611 **[Issuance and sale of multifamily housing revenue bonds by CSCDA for Jackie Robinson Apartments]** **Supervisor Maxwell**

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $17,000,000 for the Jackie Robinson Apartments (as described herein).

4/5/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050612 **[Supporting AB799 - Local vehicle license fee for San Francisco]** **Supervisors Mirkarimi, Peskin, Ammiano, McGoldrick, Maxwell, Dufty**

Resolution urging the California Assembly and Senate and the Governor of California to support Assembly Bill 799 (AB799), introduced by Assemblymember Mark Leno, the "Local vehicle license fee for San Francisco"

4/5/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050613 **[Armenian Genocide Commemoration Day]** **Supervisors Peskin, Dufty, Elsbernd**

Resolution declaring April 24, 2005 as Armenian Genocide Commemoration Day in San Francisco.

4/5/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

050615 **[Transbay Redevelopment Plan - May 10, 2005 Committee of the Whole 2005, at 4:00 p.m.]** **Supervisor Peskin**

Motion for the Board of Supervisors to convene as a committee of the whole on May 10, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of the Transbay Redevelopment Plan, and related

documents and agreements.

4/5/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

050604 [Public Education Fund Allocation Plan] Supervisor Ammiano

Hearing on the Public Education Fund Allocation Plan.

4/5/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the April 14, 2005 meeting.

050605 [Hotel/Labor Dispute Hearing] Supervisor Alioto-Pier

Hearing to discuss the current status of the ongoing hotel/labor dispute and calling for the CEOs of the corporate entities that operate the 14 Multi-Employer Group hotels as well as national leadership of UNITE/HERE to come before the Board of Supervisors to discuss the present situation.

4/5/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050606 [Graffiti Issues in Schools] Supervisor Ma

Hearing to review and discuss graffiti issues in schools, including, but not limited to the possibility of installing cameras or the use of graffiti proof paint to prevent graffiti vandalism.

4/5/05, RECEIVED AND ASSIGNED to City and School District Select Committee.

PROPOSED ORDINANCES

050581 [Settlement of Claims - Pacific Gas & Electric Company]

Ordinance approving the partial settlement of claims asserted by the City and County of San Francisco in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM, and by Pacific Gas & Electric Company against the City and County of San Francisco in that same proceeding. (City Attorney)

3/28/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Requests Granted

From: Supervisor Sandoval

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of installing stop signs at the intersections of Foote Avenue and Huron Street and Foote Avenue and Alemany Boulevard.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of repair of the sidewalk square at 814 Hayes Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of repair for the trench that is a sinkhole running east and west on Arguello between Carl and Irving.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: To research options to require the San Francisco Unified School District to cooperate and comply with City and County Sunshine laws in light of the expanded fiduciary relationship (example, Proposition H, 2003) between both entities.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: To draft legislation regarding Electioneering Communications, specifically:

ú Amending the Campaign and Governmental Conduct Code's limits on contributions be extended to those entities making electioneering communications.

ú Requiring that after the filing of the first electioneering communication report, subsequent expenditures and contributions be reported within 48 hours of their reaching $1,000.

ú Exempting websites and web blogs as electioneering communications and recognizing websites and web blogs as bona-fide news medium unless that website is owned or controlled by any political party, political committee or candidate.

From: Supervisor Maxwell

To: City Attorney

Requesting/Inquiring: To draft legislation to establish a task force to explore solutions to the disproportionate or over representation

In Memoriams

Boyd Stephens (Entire Board)

Fred Korematsu (Entire Board)

Shirley Baer (Supervisor Elsbernd)

Bonnie Laurie (Guinee) Buijen (Supervisor Ma)

Michael Page (Supervisor Mirkarimi)

Lee Mallory (Supervisor Peskin)

ADJOURNMENT

There being no further business the Board adjourned at the hour of 2:20 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 3, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
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AVISO EN ESPAŸOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall.
Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the

ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, April 12, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona*

Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

Quorum present.

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

050493 **[Grant to respond to bioterrorism, infectious disease outbreaks, and other public health threats and emergencies in hospital settings in San Francisco]** Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH, SFGH, LHH) to accept and expend retroactively a grant in the amount of $44,747 to San Francisco General Hospital and $27,960 to Laguna Honda Hospital, in a combined amount of $72,707, from the California Department of Health Services (CDHS) to prepare for and respond to bioterrorism and other public health emergencies and to enter into agreements for the use of these funds; for the period of September 1, 2003, to August 30, 2005.

Enacted Number: 257-05

ADOPTED

Recommendation of the Rules Committee

050348 **[Authorizing the Mayor to add additional terms and conditions to the memorandum of agreement between the City and participants in the City's Annual Joint Fundraising Drive]** Mayor, Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 16.93-5, to authorize the Mayor to add additional terms and conditions to the memorandum of agreement between the City and participants in the City's Annual Joint Fundraising Drive.

Enacted Number: 70-05

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Consent Agenda

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

Recommendation of the Budget and Finance Subcommittee

050322 **[Authorizing extension of the Emergency Interim Towing Services Agreement]** Mayor

Resolution authorizing the Director of Transportation of the Municipal Transportation Agency to enter into a contract amendment extending the term of the Emergency Interim Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles by and between the City and County of San Francisco and TEGSCO, LLC, d.b.a. San Francisco AutoReturn until July 30, 2005 or until a long-term towing services agreement is executed, whichever occurs first. (Parking and Traffic Department)

Enacted Number: 256-05

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Rules Committee

050532 [Appointment - Association of Bay Area Governments Finance Authority]

Resolution appointing Supervisor Ross Mirkarimi, term indefinite, to the Association of Bay Area Governments Finance Authority.

Supervisor Ross Mirkarimi, succeeding Supervisor Barbara Kaufman, resigned, seat 1, must be a member of the Board of Supervisors who in turn can appoint up to two alternates to act in his place in all matters authorized, for an indefinite term.

Enacted Number: 258-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

041489 [Regulation of Electioneering Communications] **Supervisors Maxwell, Peskin, McGoldrick, Sandoval, Mirkarimi, Ammiano**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications and by amending Section 1.134 to include electioneering communications within the type of communications that could cause the Ethics Commission to lift the City's expenditure ceilings.

(Supervisor Alioto-Pier dissenting in Committee.)

Enacted 71-05

Number:
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

Board of Supervisors Sitting as a Committee of the Whole

050624 [Regulation of Electioneering Communications]
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications and by amending section 1.134 to include electioneering communications within the type of communications that could cause the Ethics Commission to lift the City's expenditure ceilings.

The President inquired as to whether or not a member of the public wished to address the Board.

There were none.

The President declared the public hearing closed.

Continued to April 19, 2005

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Subcommittee

050416 [Health Service System Plans]
Ordinance approving the 2005-2006 health, vision and dental plans of the Health Service System, and the rates applicable to those plans. (Human Resources Department)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

041720 **[Establishing Monthly Contribution Amount]**

Resolution establishing monthly contribution amount to Health Service Trust Fund. (Human Resources Department)

(Fiscal impact.)

Enacted Number: 259-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use Committee

041767 **[Zoning Map Amendment for 2350-19th Avenue]**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 6 of the Zoning Map of the City and County of San Francisco and changing the use classification of the property located at 2350-19th Avenue, and identified as Assessor's Block No. 2347, Lot No. 004G, from a zoning designation of P (Public) to RH-2 (Residential, House, Two-Family); and adopting General Plan, Planning Code Section 101.1(b), and environmental findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

050173 **[Policy to Preserve Street Tree Planting Sites]** **Supervisor Ma**

Resolution adopting a policy to preserve street tree planting sites.

Enacted Number: 260-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050359 **[Grant of Federal Funds]** **Supervisor Daly**

Resolution authorizing the Municipal Transportation Agency to accept and expend $266,666 of Low Income Flexible Transportation (LIFT) Funds, for maintenance of the Municipal Railway's #108 Line between San Francisco and Treasure Island, excluding administrative overhead costs.

Enacted Number: 261-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M

050287 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 606-624 Divisadero Street and 1278 Hayes Street]

Hearing of persons interested in or objecting to the decision of the Planning Department, approving a Final Mitigated Negative Declaration (Case No. 2003.0807E) adopted and issued on November 29, 2004, for the proposed construction of two mixed-use buildings on Divisadero Street and one all-residential building on Hayes Street after demolition of an existing 12,000 gross-square-foot (gsf) building at 616 Divisadero Street, currently used as a church (currently a Baptist Church and before that the Harding Theater). The two proposed buildings on Divisadero Street would be identical 9,615 gsf, four-story, mixed-use buildings each with approximately 2,500 gsf of commercial use on portions of the first two levels, and four residential dwelling units on the remainder of the four floors. The proposed building on Hayes Street would be a 30,631 gsf, four-story building with 10 dwelling units on all four levels. The entire proposed project would include 18 dwelling units, 18 off-street parking spaces, and approximately 5,000 gsf of commercial space in three buildings that would each be four stories, approximately 46 feet in height. Off-street parking for all three buildings would be located in the Hayes Street building. The project site at 616 Divisadero Street (Assessor's Block 1202, Lot 002J) is an L-shaped lot with frontages on both Divisadero and Hayes Streets and is approximately 13,285 square feet. The project site is zoned NC-2 (Small-Scale Neighborhood Commercial and is within a 65-A height and bulk district. (Appellant: Arthur D. Levy of Levy, Ram & Olson LLP Attorneys representing Central City Progressives.)

(Appeal filed February 15, 2005; companion measure to Files 050288, 050289, 050290; District 5.)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

050288 **[Finding mitigated negative declaration appeal of 606-624 Divisadero Street/1278 Hayes Street timely]**

Motion finding the appeal of the mitigated negative declaration issued on November 29, 2004, for 606-624 Divisadero Street/1278 Hayes Street timely filed. (Clerk of the Board)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050289 **[Finding appeal of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street untimely]**

Motion finding the appeal of the negative declaration issued on November 29, 2004 for 606-624 Divisadero Street/1278 Hayes Street not timely filed. (Clerk of the Board)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050290 **[Preparation of findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street]**

Motion directing the Clerk of the Board to prepare findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

(Only one of the following two motions should be adopted.)

050400 [Affirm approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]

Motion affirming Planning Department adoption of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050401 [Reversing approval of the negative declaration for 606-624 Divisadero Street/1278 Hayes Street]

Motion reversing the Planning Department approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050402 [Preparation of findings to reverse approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Department's approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M

050087 [Public Hearing - Conditional Use Appeal for 606-624 Divisadero Street and 1278 Hayes Street]

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. No.16921 dated December 9, 2004, approving Conditional Use Application No. 2003.0807CEK, subject to certain conditions, allowing the development of a lot greater than 9,999 square feet and the creation of parking in amounts greater than accessory on a lot in an NC-2 (Small Scale Neighborhood Commercial) District and a 65-A Height and Bulk District, on property located at 606-624 Divisadero Street and 1278 Hayes Street, northeast corner of Divisadero and Hayes Streets; Lot 002J, Assessor's Block 1202. (Appellant: David Tornheim, representing the Central City Progressives.)

(Filed 1/10/05; companion measure to Files 050087, 050088, 050089, 050090, 050091; District 5.)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

050088 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]

Motion approving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050089 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street. (Clerk of the Board)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050090 [Findings - 606-624 Divisadero Street and 1278 Hayes Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050091 [Environmental Review - 606-624 Divisadero Street and 1278 Hayes Street]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to April 19, 2005 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

050570 [Public Hearing - Ordinance approving and adopting the Seventh Amendment to the Redevelopment Plan for the Western Addition Project Area A-2]

Hearing to consider the possible adoption of an Ordinance approving and adopting the Seventh Amendment to the Redevelopment Plan for the Western Addition Project Area A-2 to amend elements of the density, parking, height and bulk restrictions for five (5) sites referred to as Parcel 732-A and 725-C (also known as the Jazz Center Site), Parcel A, Parcel C, Rosa Parks and the Muni Substation; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law. (Clerk of the Board)

Marcia Rosen, Executive Director, Redevelopment Agency and Nicole Franklin, Project Manager, Redevelopment Agency reviewed with the Board members the Redevelopment project.

The President inquired as to whether or not a member of the public wished to address the Board.

Speaker:

Ace Washington.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

Recommendation of the Land Use Committee

050218 [Seventh Amendment to Redevelopment Plan for the Western Addition Project Area A-2] Mayor, Supervisor Mirkarimi

Ordinance approving and adopting the Seventh Amendment to the Redevelopment Plan for the Western Addition Project Area A-2 to amend elements of the density, parking, height and bulk restrictions for five (5) sites referred to as Parcel 732-A and 725-C (also known as the Jazz Center Site), Parcel A, Parcel C, Rosa Parks and the Muni Substation; adopting findings pursuant to the California Environmental Quality Act; adopting

findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 5:00 P.M.

050380 **[Public Hearing - Appeal of Categorical Exemption for No.1 La Avanzada Street (aka 250 Palo Alto Avenue)]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 10, 2005, Case No. 2005.0021E, exempting from environmental review the proposed installation of a new low-power FM antenna for KNGY FM-92.7, four satellite receive-only dishes for KPIX TV-5 and an emergency generator for KBHK TV-44. The project is located at No.1 La Avanzada Street (aka 250 Palo Alto Avenue), on Mount Sutro and is zoned RH-1(D). The individual components are described below.

Low-Power FM Antenna: KNGY is an existing radio station that now broadcasts from the top of a residential building at 1101 Green Street on Russian Hill. The proposed project would relocate KNGY from its current location by allowing the installation of a new low-power FM antenna on Sutro Tower. KNGY currently operates at 3,600 watts of effective radiated power. The new antenna will operate at 510 watts of effective radiated power. The antenna will be approximately 15 feet high by 5 feet wide by 2 feet deep, and will be mounted on the north leg of Sutro Tower at Level 3, approximately 380 feet above ground using an existing set of brackets installed to support a previously approved antenna. No alteration to the existing equipment building at the base of Sutro Tower would be required. (Appellants: Siu Ling Chen for Midtown Terrace Homeowner's Association, Liaison to Sutro Tower and Doris Linnenbach for Twin Peaks Improvement Association, Liaison to Sutro Tower.)

(Filed February 28, 2005; companion measure to Files 050381, 050382, 050383; District 7.)

Continued to April 26, 2005.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the

public hearing.

(Only one of the following two motions should be adopted.)

050381 **[Affirming the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]**

Motion affirming the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 26, 2005.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050382 **[Disapproving the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]**

Motion disapproving the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 26, 2005.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050383 **[Preparation of findings related to the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to April 26, 2005.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Ammiano provided the Board an update on the Municipal Transportation Agency on which he represents the Board of Supervisors.

Supervisor Sandoval provided the Board an update on the San Francisco Employees' Retirement System on which he represents the Board of Supervisors.

Supervisor Peskin provided the Board an update on the Bay Conservation and Development Commission on which he represents the Board of Supervisors.

Supervisor Mirkarimi provided the Board an update on LAFCO on which he represents the Board of Supervisors.

PUBLIC COMMENT

Christine Liemata; showed interest in the SF Art Institute and their art show

Greg Colladar; showed interest in the SF Art Institute and their art show

Patricia Haughey; showed interest in the SF Art Institute and their art show

Abdullah Megaheed; expressed concern regarding the death of Pope John Paul II and homeless issues

James Chaffe; expressed concern about the decisions of the Library Commission and library funding

Walter Paulson; expressed interest in historic art displays such the libraries and City Hall

Eugene Gordon Jr; expressed concerns about occupations of foreign countries

Francisco da Costa; expressed concerns of power station turbines being built in such areas as the Bayview District

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing

Litigation

050463 **[Closed Session - Existing Litigation, Potential Litigation]** **Supervisor Ammiano**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following bankruptcy matter (Chapter 11) in which the City and County of San Francisco is an active participant, and to consider the possibility of affirmative litigation in light of the status of the bankruptcy matter listed below:

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) and (2) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit listed below.

In Re: PACIFIC GAS AND ELECTRIC COMPANY, Debtor
U. S. Bankruptcy Court, Northern District of California, No. 01-30923 DM
Federal I. D. No. 94-0742640
Date Filed: 4/6/01

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 3:16 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:10 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,, Mirkarimi, Peskin, Sandoval - 11

Report on Closed Session

Deputy City Attorney Cheryl Adams, reported that the Board of Supervisors

has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9(a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:

Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Cheryl Adams, Deputy City Attorney

Theresa Mueller, Deputy City Attorney

Jeanne Sole, Deputy City Attorney

Kay Gulbengay, Deputy Clerk

Victor Young, Assistant Clerk

The meeting was informational only and no action was taken.

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Ammiano, seconded by Supervisor Maxwell, moved. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

050593 [Safety Seat Checkup Week] Supervisors Ma, Dufty

Resolution declaring April 10, 2005 through April 16, 2005 as "Safety Seat Checkup Week" in the City and County of San Francisco.

Enacted Number: 262-05

ADOPTED

050594 [Public Safety Telecommunications Week] Supervisors Ma, Dufty

Resolution recognizing the hard work and dedication of our public safety professionals and declaring April 10, 2005 through April 16, 2005 as "Public Safety Telecommunications Week" in the City and County of San Francisco.

Enacted Number: 263-05
ADOPTED

050603 [Declaring April 13, 2005 Healthcare for All Children Day] Supervisor Dufty

Resolution declaring April 13, 2005 Healthcare for All Children Day.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 264-05
ADOPTED

050607 [Approving San Francisco Local Hazard Mitigation Plan] Supervisor Alioto-Pier

Resolution approving the Association of Bay Area Governments Report "Taming Natural Disasters" as the City and County of San Francisco's Local Hazard Mitigation Plan.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 265-05
ADOPTED

050608 [Dance Week in San Francisco] Supervisor Dufty

Resolution supporting Bay Area Celebrates National Dance Week, and declaring April 22 through May 1, 2005 as Dance Week in San Francisco.

Enacted Number: 266-05
ADOPTED

050610 [Foster Care Month] Supervisors Maxwell, Dufty

Resolution recognizing May 2005 as Foster Care Month.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 267-05
ADOPTED

050611 [Issuance and sale of multifamily housing Supervisor Maxwell

revenue bonds by CSCDA for Jackie Robinson Apartments]

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $17,000,000 for the Jackie Robinson Apartments (as described herein).

Enacted Number: 268-05

ADOPTED

050612 **[Supporting AB799 - Local vehicle license fee for San Francisco]** Supervisors Mirkarimi, Peskin, Ammiano, McGoldrick, Maxwell, Dufty

Resolution urging the California Assembly and Senate and the Governor of California to support Assembly Bill 799 (AB799), introduced by Assemblymember Mark Leno, the "Local vehicle license fee for San Francisco"

Enacted Number: 269-05

ADOPTED

050613 **[Armenian Genocide Commemoration Day]** Supervisors Peskin, Dufty, Elsbernd

Resolution declaring April 24, 2005 as Armenian Genocide Commemoration Day in San Francisco.

Supervisors Elsbernd and Ma requested to be added as co-sponsors.

Enacted Number: 270-05

ADOPTED

050565 **[Final Map for a 102 Unit Residential Condominium Project - 125 Third Street, Museum Tower Residences]**

Motion approving Final Map of Museum Tower Residences Condominium Map, A Residential Condominium Project, being a subdivision of Lot 82 in Assessor's Block No. 3722, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,292; District 6.)

Enacted Number: M05-52

APPROVED

050615 **[Transbay Redevelopment Plan - May 10, 2005 Committee of the Whole 2005, at 4:00 p.m.]** Supervisor Peskin

Motion for the Board of Supervisors to convene as a committee of the whole on May 10, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of the Transbay Redevelopment Plan, and related documents and agreements.

Enacted Number: M05-53

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Without Reference Committee Agenda

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

050592 **[Supporting non-discrimination in health care services for Transgender people]** Supervisors Dufty, Ammiano

Resolution supporting non-discrimination in health care services for Transgender people, and endorsing AB 1586.

REFERRED to the City Operations and Neighborhood Services Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

050633 **[Zoning Map amendment for properties at the intersection of 18th and Sanchez Streets]** — Supervisor Dufty

Ordinance amending the Zoning Map of the City and County of San Francisco Sectional Map 7 and changing the use classification of two lots at the intersection of 18th and Sanchez Streets from RH-3 (Residential, Three-Family) to NC-1 (Neighborhood Commercial Cluster District); making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan; and making environmental findings.

4/12/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 5/12/2005.

050643 **[Extension of San Francisco Museum and Historical Society Advisory Committee's operations for one year]** — Supervisor Peskin

Ordinance amending Section 2A.166 of the San Francisco Administrative Code in order to extend the operations of the San Francisco Museum and Historical Society Advisory Committee for one year, until June 1, 2006.

4/12/05, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

050629 **[Supporting Mayor's Energy Conservation Account]** — Supervisors Mirkarimi, Ammiano

Resolution in support of sustaining the Mayor's Energy Conservation Account (MECA) fund and directing the SFPUC to implement funding for solar and efficiency projects.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050630 **[Settlement of San Francisco's potential claims against companies for images stenciled on city sidewalks for reimbursement to city in the amount of $7,000.00, and a $96,000 donation to the** — Supervisors Dufty, Alioto-Pier, Ma, Maxwell

Resolution approving settlement of San Francisco's potential claims for fines, penalties and damages against NBC Universal, Inc., the USA Network, and related entities (the "Companies") arising out of the stenciling of marketing images on City sidewalks. Under the settlement, the companies: (1) shall pay $7,000.00 to San Francisco to reimburse the City for its out-of-pocket costs arising out of the incident; (2) shall make a $96,000.00 donation to the San Francisco Clean City Coalition; and (3) agree to make best efforts to prevent the perpetration of similar acts in the future. In exchange, San Francisco shall fully release the Companies from potential claims arising out of the stencils.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

050631 **[California Million Solar Roofs Initiative]** **Supervisors Ammiano, Daly, Mirkarimi**

Resolution supporting the California Million Solar Roofs initiative (SB 1).

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050632 **[Honoring the Legacy of Pope John Paul II]** **Supervisors Alioto-Pier, Elsbernd, Ma, McGoldrick**

Resolution honoring the legacy of Pope John Paul II and the profound impact he had on all citizens of the world.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050642 **[Contract funds to evaluate the integration of buprenorphine treatment into the SFGH AIDS Program, Year 1]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS), to enter retroactively into the first year of an agreement with the University of California San Francisco (UCSF), the primary contractor, and expend funds in the amount of $52,190 to provide local and multi-site evaluation of the integration of buprenorphine treatment into the SFGH AIDS Program; for the period of September 1, 2004 to August 31, 2005.

3/12/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050644 **[Recreation and Park - S.F. Small Craft Harbor Fiscal Feasibility]** **Supervisor Alioto-Pier**

Resolution adopting findings that the San Francisco Small Craft Harbor project is fiscally feasible and responsible under Administrative Code Chapter 29.

4/12/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050645 **[Amendment of Contract between Ciber, Inc. and the City and County of San Francisco for Computed-related Services]** **Supervisor Daly**

Resolution authorizing the Committee on Information Technology and Purchaser to amend the contract between Ciber, Inc. and the City and County of San Francisco for computed-related services by increasing the amount of the contract from an amount not to exceed $9,999,999 to an amount not to exceed $25,000,000.

(Fiscal impact.)

4/12/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050646 **[Accept-Expend Funds for Fiber Optic Facilities]** Supervisor Ammiano

Resolution authorizing the Department of Telecommunications and Information Services (DTIS) to retroactively accept and expend funds in the amount of $3,549,700 from the City College of San Francisco (City College) for long term exclusive rights to use fiber optic facilities to connect campus locations.

4/12/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050647 **[Legislative bill number SB 521: Transit Village Plans]** Supervisors Sandoval, Mirkarimi

Resolution urging the California State Legislature to approve SB 521: Transit Village Plans, which makes it easier to create redevelopment areas near transit stations and thus creates incentives to build housing near transit.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050648 **[Small Business Week]** Supervisors Ma, Dufty, Elsbernd, Maxwell, Mirkarimi

Resolution declaring April 25-29, 2005, as "Small Business Week" in the City and County of San Francisco.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050649 **[Earthquake Preparedness Month]** Supervisors Ma, Dufty, Elsbernd

Resolution declaring April 2005 to be "Earthquake Preparedness Month" in the City and County of San Francisco.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050650 **[Child Abuse Prevention Month]** Supervisors Ma, Dufty

Resolution recognizing April 2005 as "Child Abuse Prevention Month" in the City and County of San Francisco.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050651 [Support the Efforts of the Exploratorium in Obtaining Increased Funding] Supervisors Alioto-Pier, Elsbernd

Resolution supporting the Exploratorium in their efforts to continue and expand its essential work in educating the children of San Francisco and the Bay Area.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050653 [Parking Regulations] Supervisor Peskin

Resolution urging the Department of Parking and Traffic to re-install a metered parking space at 933 Grant Avenue in Chinatown.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050654 [Supporting State Legislation AB 1296, San Francisco Bay Water Trail Act] Supervisors Peskin, Maxwell, Daly, Ma

Resolution expressing support for AB 1296, the San Francisco Bay Water Trail Act, and urging the California State Legislature and Governor to support this measure.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050655 [Condemning Homophobia and Misogyny] Supervisor Peskin

Resolution condemning homophobic and misogynistic public remarks by the Executive Director and members of the Residential Builders Association of San Francisco.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

050634 [PG&E Franchise Fees] Supervisor Ammiano

Hearing to be scheduled at the next LAFCO meeting to inquire into PG&E franchise fees.

4/12/05, RECEIVED AND ASSIGNED to Board of Supervisors. Sponsor requests this item be referred to LAFCO.

050635 [Trafficking and Use of Illegal Guns] Supervisor Maxwell

Hearing on the trafficking and the use of illegal guns in San Francisco.

4/12/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050636 **[Closed Session - EIR for the Transbay Terminal]** Supervisor Peskin

Hearing before the full Board of Supervisors in closed session regarding the result of litigation relative to the environmental impact report for the Transbay Terminal.

4/12/05, RECEIVED AND ASSIGNED to Board of Supervisors.

050637 **[Prioritization Process for McKinney Funds]** Supervisor Daly

Hearing to address the community process to determine priorities for the disbursement of McKinney funds and resultant changes in homeless services.

4/12/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050638 **[Single Standard of Care]** Supervisor Daly

Hearing on the impacts of reversing long standing Single Standard of Care Policy to provide uninsured people access to the same level of care of the insured in San Francisco's mental health system.

4/12/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050639 **[Closed Session - Labor Negotiations Update]** Supervisor Elsbernd

Closed session hearing for the Board of Supervisors to receive an update on the status of labor negotiations from the Department of Human Resources.

4/12/05, RECEIVED AND ASSIGNED to Board of Supervisors.

050640 **[Needle Exchange Program and Public Safety Technology]** Supervisor Mirkarimi

Hearing on the Needle Exchange Program and Public Safety Technology.

4/12/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motions

050627 **[Needle Exchange Emergency]** Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050628 **[Extending Time for Negotiations - Local 856 for Supervising Nurses and Local 790 for Staff Nurses/ Per Diem Nurses]** Supervisors Elsbernd, Ma

Motion extending time for negotiations pursuant to Charter Section 11.100

4/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050641 **[Legislative Analyst Request - Count of Homeless People]** Supervisor Daly

Motion requesting the Legislative Analyst to research and make recommendations on methodologies and standards for conducting the count of homeless people, with attention on interaction with government institutions and the overall quality of life of homeless people in San Francisco.

4/12/05, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 19, 2005.

PROPOSED ORDINANCES

050567 **[Settlement of Lawsuit - Tamyra D'Ippolito]**

Ordinance authorizing settlement of the lawsuit filed by Tamyra D'Ippolito against the City and County of San Francisco for $35,000; the lawsuit was filed on July 23, 2001 in San Francisco Superior Court, Case No. 323-130; entitled Tamyra D'Ippolito, et al., v. City and County of San Francisco, et al. (City Attorney)

4/4/05, RECEIVED AND ASSIGNED to Rules Committee.

050568 **[Settlement of Lawsuit - Bryan Ketron]**

Ordinance authorizing settlement of the lawsuit filed by Bryan Ketron against the City and County of San Francisco for $57,500 and the lawsuit filed by Alisa Vincent against the City and County of San Francisco for $25,000; the cases have been consolidated under Bryan Ketron v. City and County of San Francisco, et al., Superior Court , Case No. 414-357. The Ketron lawsuit was filed on November 4, 2002 in Superior Court, Case No. 414-357 the Vincent lawsuit was filed on March 21, 2003 in Superior Court, Case No. 418-577. (City Attorney)

4/4/05, RECEIVED AND ASSIGNED to Rules Committee.

050582 [Settlement of Lawsuit - Pacific Gas and Electric Company]

Ordinance approving settlement of litigation by Pacific Gas and Electric Company against City and County of San Francisco for $3,000.

4/4/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

050530 [Accept-Expend Bequest of Harvey V. Berneking Living Trust] Supervisor Elsbernd

Resolution authorizing the San Francisco Public Library to retroactively accept and expend a gift in the amount of $100,000 from the HARVEY V. BERNEKING Living Trust for improvements to the Main Library. (Public Library)

3/30/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050569 [Contract Prop J: Facility Security Services]

Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Municipal Transportation Agency)

4/5/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the repair of the sidewalk due to root invasion, as well as the empty sidewalk square at 650 Steiner Street on the Hayes Street side of the building.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the sinkhole/pothole in the street in front of 620 Broderick Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of repair of a large crack in the center of the street in front of 642 Steiner.

In Memoriams

Pope John Paul II (Entire Board)

Yook Yung Chan Lee (Supervisor Ammiano)

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:03 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 10, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

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AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

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The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
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The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, April 19, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *Michela Alioto-Pier.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

Quorum present.

Supervisor Alioto-Pier was previously excused from attending today's meeting.

(See Infra)

Supervisor Alioto-Pier Excused from Attendance

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

APPROVAL OF MEETING MINUTES

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved to approve March 15, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Subcommittee

050416 **[Health Service System Plans]**

Ordinance approving the 2005-2006 health, vision and dental plans of the Health Service System, and the rates applicable to those plans. (Human Resources Department)

(Fiscal impact.)

Enacted Number: 72-05
FINALLY PASSED

050414 **[Gift - Private]** Supervisors Ma, Dufty

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift in the amount of $138,766 from the Avon Foundation, via the San Francisco General Hospital Foundation, for the purchase of technical and logistical services in support of the operation of the mobile mammography facility vehicle, donated to the City in 2004, by the University of California, San Francisco. The mobile mammography facility vehicle provides services to indigent and under-served women in San Francisco. (Public Health Department)

Enacted Number: 292-05
ADOPTED

050419 **[PUC Commercial Paper Issuance]**

Resolution approving the substitution of the letter of credit with respect to the San Francisco Public Utilities Commission's Commercial Paper Notes (Water Series) and related matters. (Public Utilities Commission)

Enacted Number: 291-05
ADOPTED

Recommendations of the Rules Committee

050328 [Settlement of Lawsuit - Mary Jane Gregory]

Ordinance authorizing settlement of the lawsuit filed by Mary Jane Gregory against the City and County of San Francisco for $30,000.00; the lawsuit was filed on February 13, 2003 in the San Francisco Superior Court, Case No. 417384; entitled Mary Jane Gregory v. City and County of San Francisco, et al.

PASSED, ON FIRST READING

050418 **[Settlement of Lawsuit - James Tucker]**

Ordinance authorizing settlement of the lawsuit filed by James Tucker against the City and County of San Francisco for $60,000; the lawsuit was filed on September 9, 2003 in San Francisco Superior Court, Case No. 424-256; entitled James Tucker, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

050581 **[Settlement of Claims - Pacific Gas & Electric Company]**

Ordinance approving the partial settlement of claims asserted by the City and County of San Francisco in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM, and by Pacific Gas & Electric Company against the City and County of San Francisco in that same proceeding. (City Attorney)

PASSED, ON FIRST READING

050389 **[Settlement of Claim - Beatrice Mouser]**

Resolution approving the settlement of the unlitigated claim filed by Beatrice Mouser against San Francisco for $125,000; claim was filed on October 21, 2004. (City Attorney)

Enacted Number: 289-05

ADOPTED

050583 **[Appointment - Immigrant Rights Commission]**

Resolution appointing Elahe Enssani, term ending June 6, 2006, and Anthony Chukwuemeka Eke, term ending June 6, 2005, to the Immigrant Rights Commission, residency requirement waived.

Elahe Enssani, succeeding Houston Zheng, seat 9, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2006. Anthony Chukwuemeka Eke(residency requirement waived), succeeding Jose Ricardo Bondoc, seat 10, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the

health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2005.

Enacted Number: 287-05
ADOPTED

050584 [Appointment - Urban Forestry Council]

Resolution apponting Larry Costello, Bonnie Fisher, Carolyn Blair, Kelly Quirke, Stephen Griswold, Michael Sullivan, and Jocelyn Cohen, terms ending April 5, 2007, to the Urban Forestry Council.

Larry Costello, succeeding himself, term expiring, seat 1, must be a representative of the University of California Cooperative Extension or a representative of another educational organization involved with tree management, for a two-year term ending April 5, 2007. Bonnie Fisher, succeeding herself, term expiring, seat 2, must be a representative of the tree management profession, for a two-year term ending April 5, 2007. Carolyn Blair, succeeding herself, term expiring, seat 3, must be a representative of a non-profit organization involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2007. Kelly Quirke, succeeding himself, term expiring, seat 4, must be a representative of a non-profit organization involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2007. Stephen Griswold, succeeding himself, term expiring, seat 5, must be a representative of the Golden Gate National Recreation Area, for a two-year term ending April 5, 2007. Michael Sullivan, succeeding himself, term expiring, seat 6, must be a representative of the community, for a two-year term ending April 5, 2007. Jocelyn Cohen, succeeding herself, term expiring, seat 7, must be a representative of the community, for a two-year term ending April 5, 2007.

Enacted Number: 286-05
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

041767 [Zoning Map Amendment for 2350-19th Avenue]

Ordinance amending the San Francisco Planning Code by amending Sectional Map 6 of the Zoning Map of the City and County of San Francisco and changing the use classification of the property located at 2350-19th Avenue, and identified as Assessor's Block No. 2347, Lot No. 004G, from a zoning designation of P (Public) to RH-2 (Residential, House, Two-Family); and adopting General Plan, Planning Code Section 101.1(b), and environmental findings. (Planning Department)

Enacted Number: 73-05

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Alioto-Pier

From the Land Use Committee and Committee of the Whole

050218 [Seventh Amendment to Redevelopment Plan for the Western Addition Project Area A-2] Mayor, Supervisor Mirkarimi

Ordinance approving and adopting the Seventh Amendment to the Redevelopment Plan for the Western Addition Project Area A-2 to amend elements of the density, parking, height and bulk restrictions for five (5) sites referred to as Parcel 732-A and 725-C (also known as the Jazz Center Site), Parcel A, Parcel C, Rosa Parks and the Muni Substation; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and adopting other findings pursuant to the California Community Redevelopment Law.

Enacted Number: 74-05

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

From the Committee of the Whole

050624 [Regulation of Electioneering Communications]

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Section 1.161.5 to create disclosure and filing requirements for the sponsors of electioneering communications and by amending Section 1.134 to include electioneering communications within the type of communications that could cause the Ethics Commission to lift the City's expenditure ceilings.

Enacted Number: 75-05

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendation of the Budget and Finance Subcommittee

050369 [2005 Annual Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2005 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Enacted Number: 278-05

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Recommendation of the Land Use Committee

050495 [Grant of Regional Funds] Supervisor Peskin

Resolution authorizing the Municipal Transportation Agency to accept and expend $4,290,000 of Regional Measure 2 funds for Municipal Railway

Capital Project.

Enacted Number: 290-05

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:00 P.M

050287 **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 606-624 Divisadero Street and 1278 Hayes Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department, approving a Final Mitigated Negative Declaration (Case No. 2003.0807E) adopted and issued on November 29, 2004, for the proposed construction of two mixed-use buildings on Divisadero Street and one all-residential building on Hayes Street after demolition of an existing 12,000 gross-square-foot (gsf) building at 616 Divisadero Street, currently used as a church (currently a Baptist Church and before that the Harding Theater). The two proposed buildings on Divisadero Street would be identical 9,615 gsf, four-story, mixed-use buildings each with approximately 2,500 gsf of commercial use on portions of the first two levels, and four residential dwelling units on the remainder of the four floors. The proposed building on Hayes Street would be a 30,631 gsf, four-story building with 10 dwelling units on all four levels. The entire proposed project would include 18 dwelling units, 18 off-street parking spaces, and approximately 5,000 gsf of commercial space in three buildings that would each be four stories, approximately 46 feet in height. Off-street parking for all three buildings would be located in the Hayes Street building. The project site at 616 Divisadero Street (Assessor's Block 1202, Lot 002J) is an L-shaped lot with frontages on both Divisadero and Hayes Streets and is approximately 13,285 square feet. The project site is zoned NC-2 (Small-Scale Neighborhood Commercial and is within a 65-A height and bulk district. (Appellant: Arthur D. Levy of Levy, Ram & Olson LLP Attorneys representing Central City Progressives.)

(Appeal filed February 15, 2005; companion measure to Files 050288, 050289, 050290; District 5.)

Arthur Levy, Attorney for the appellant and Jim Reuben, Attorney for the project sponsor agreed to a 5 minute hearing on the timely filing of the appeal.

Arthur Levy, Attorney for appellant

David Silverman, Reuben & Junius, attorney for project sponsor

The President inquired as to whether or not a member of the public wished to address the Board.

There were none.

The President declared the public comment closed on the matter of timely filing of the appeal.

Elaine Warren, Deputy City Attorney and Cheryl Adams, Deputy City Attorney, Larry Badiner, Planning Department responded to questions from the Board regarding the process and procedures for this matter.

Appeal was deemed timely filed.

Larry Badiner, Planning Department informed the Board members that they are not prepared to hear the negative declaration. Planning Department rescinded the negative declaration and will issue a new negative declaration.

President informed the Board that Items 19-26 are no longer before the Board for consideration due to the Planning Department's rescinding of the negative declaration.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

050288 **[Finding mitigated negative declaration appeal of 606-624 Divisadero Street/1278 Hayes Street timely]**

Motion finding the appeal of the mitigated negative declaration issued on November 29, 2004, for 606-624 Divisadero Street/1278 Hayes Street timely filed. (Clerk of the Board)

Enacted Number: M05-58

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick
Excused: 1 - Alioto-Pier

050289 **[Finding appeal of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street untimely]**

Motion finding the appeal of the negative declaration issued on November 29, 2004 for 606-624 Divisadero Street/1278 Hayes Street not timely filed. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick
Excused: 1 - Alioto-Pier

050290 **[Preparation of findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street]**

Motion directing the Clerk of the Board to prepare findings related to the timeliness of the mitigated negative declaration appeal for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

Enacted Number: M05-54

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick
Excused: 1 - Alioto-Pier

(Only one of the following two motions should be adopted.)

050400 **[Affirm approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]**

Motion affirming Planning Department adoption of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

050401 **[Reversing approval of the negative declaration**

for 606-624 Divisadero Street/1278 Hayes Street]

Motion reversing the Planning Department approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

050402 **[Preparation of findings to reverse approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Department's approval of the mitigated negative declaration for 606-624 Divisadero Street/1278 Hayes Street. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

050087 **[Public Hearing - Conditional Use Appeal for 606-624 Divisadero Street and 1278 Hayes Street]**

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. No.16921 dated December 9, 2004, approving Conditional Use Application No. 2003.0807CEK, subject to certain conditions, allowing the development of a lot greater than 9,999 square feet and the creation of parking in amounts greater than accessory on a lot in an NC-2 (Small Scale Neighborhood Commercial) District and a 65-A Height and Bulk District, on property located at 606-624 Divisadero Street and 1278 Hayes Street, northeast corner of Divisadero and Hayes Streets; Lot 002J, Assessor's Block 1202. (Appellant: David Tornheim, representing the Central City Progressives.)

(Filed 1/10/05; companion measure to Files 050087, 050088, 050089, 050090, 050091; District 5.)

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Hearing be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or

someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

050091 [Environmental Review - 606-624 Divisadero Street and 1278 Hayes Street]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

(Only one of the following two motions should be adopted.)

050088 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]

Motion approving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

050089 [Appeal, Conditional Use - 606-624 Divisadero Street and 1278 Hayes Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16921, approving Conditional Use Application 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Alioto-Pier

050090 [Findings - 606-624 Divisadero Street and 1278 Hayes Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.0807CEK on property located at 606-624 Divisadero Street and 1278 Hayes Street, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Elsbernd moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to members of the Armenian American Community in recognition of the 90th Anniversary of the Armenian Genocide.

SPECIAL ORDER 4:00 P.M.

050481 [Public Hearing - Appeal of Certification of Determination of Exemption/Exclusion from Environmental Review for San Francisco Bicycle Plan Policy Framework]

Hearing of persons interested in or objecting to the decision of the Planning Department dated January 11, 2005, Case No. 2004.0420E, exempting from environmental review the proposed project regarding revision of the 1997 San Francisco Bicycle Plan. There are two major components to the San

Francisco Bicycle Plan update - the Policy Framework and the Network Improvement Document. The San Francisco Bicycle Plan Policy Framework is a public policy document that provides an overview of the policies and components of a successful bicycle program. The San Francisco Bicycle Framework presents changes to the 1997 Plan by emphasizing updates to: bicycle policy and chapter topics presented in the 1997 Plan; incorporation of new design guidelines for a wide range of bicycle facilities; and a "blueprint" for potential expansion and refinement of the existing Bicycle Network. The San Francisco Bicycle Plan Policy Framework has seven goals and objectives: (1) increase safe bicycle use, (2) refine and expand the existing bicycle route network, (3) ensure plentiful, high-quality bicycle parking to complement the bicycle route network, (4) adopt bicycle-friendly practices and policies, (5) promote safe bicycling, (6) increase enforcement of bicycle-related violations, and (7) prioritize and increase bicycle funding.

The second component of the overall Bicycle Plan is the Network Improvement Document, which identifies potential projects to improve bicycle transportation throughout San Francisco. The Network Improvement Document will be reviewed under a separate environmental review. (Appellants: Mary Miles and Coalition for Adequate Review [CFAR] and Ninety-nine Percent)

(Filed March 15, 2005; companion measure to Files 050482, 050483, 050384.)

Mary Miles, Appellant, requesting a continuance

Marilyn Amini; requesting a continuance

Andy Thornley, Bicycle Advisory Committee; against a continuance

Lia Scham; Bicycle Advisory Committee; against a continuance

Keith Sagas; District 3; against a continuance

Robert Anderson; requesting a continuance

Judith Berkowitz; requesting a continuance

Chair, Bicycle Advisory Committee; against a continuance

Mary Miles, Appellant

Rob Anderson; support of appellant

Marilyn Amini; support of appellant

The President inquired as to whether or not any other member of the public wished to address the Board.

There were no more speakers.

The President declared the public hearing closed.

Paul Maltzer, Planning Department, reviewed with the Board the Planning Department's recommendation.

Andy Thornley, Bicycle Advisory Committee; support of Planning Department's recommendation

Chair, Bicycle Advisory Committee; support of Planning Department's recommendation

Jason Henderson; support of Planning Department's recommendation

Lia Scham, Bicycle Advisory Committee; support of Planning Department's recommendation

Representative, Department of Parking and Traffic

Rebuttal Period: Mary Miles, Appellant

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

050482 [Affirming the general rule exclusion issued for the Bicycle Plan: Policy Framework]

Motion affirming the determination by the Planning Department that the San Francisco Bicycle Plan: Policy Framework is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-55

Supervisor McGoldrick, seconded by Supervisor Ma, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

050483 [Disapproving the general rule exclusion issued for the Bicycle Plan: Policy Framework]

Motion disapproving the determination by the Planning Department that the San Francisco Bicycle Plan: Policy Framework is exempt from environmental

review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

050484 **[Preparation of findings related to the general rule exclusion issued for the Bicycle Plan: Policy Framework]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the San Francisco Bicycle Plan: Policy Framework is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

COMMITTEE REPORTS

041625 **[Confirming appointment of Rich Peterson to the San Francisco Redevelopment Agency]** Mayor

Resolution confirming the appointment of Rich Peterson, term ending September 3, 2008, to the San Francisco Redevelopment Agency.

Enacted Number: 285-05

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Alioto-Pier

050589 **[Confirming appointment of Francee Covington to the San Francisco Redevelopment Agency]** Mayor

Resolution confirming the appointment of Francee Covington, term ending September 3, 2008, to the San Francisco Redevelopment Agency.

Enacted Number: 284-05

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

050590 **[Confirming the appointment of London Breed to the San Francisco Redevelopment Agency]** Mayor

Resolution confirming the appointment of London Breed, term ending September 3, 2007, to the San Francisco Redevelopment Agency.

Enacted Number: 283-05

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

050598 **[Accept-Expend Federal Funding - Community Development Block Grant]** Mayor

Resolution approving the 2005 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2005 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and Program Income of $31,336,306 which include indirect costs of $120,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Resolution approving the 2005 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2005 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, and Program Income of $31,511,306, and approving expenditure schedules for recipient departments and agencies and for indirect costs; placing $262,517, on reserve.

ADOPTED AS AMENDED.

050600 **[Federal Funding - Emergency Shelter Grants Program]** Mayor

Resolution approving the 2005 Emergency Shelter Grants Program and Expenditure Schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept and expend a $923,756 entitlement grant under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development.

Enacted 294-05

Number:

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

050599 **[Accept-Expend Federal Funding - HOME Program]** **Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend the City's 2005 HOME Program entitlement grant from the U.S. Department of Housing and Urban Development (HUD) and Program Income of $10,804,442 for the HOME Program authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2005 Action Plan for San Francisco's Consolidated Plan.

Enacted 293-05
Number:

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Daly provided the Board an update on the Joint Powers Board on which he represents the Board of Supervisors.

PUBLIC COMMENT

Abdullah Megaheed; showed concern over general issues

James Chaffee; expressed concern with SF Library issues

Walter; expressed concern with transportation issues

John DiDonna; showed concern over anti-gay articles

Eugene Gordon; showed concern over racist issues and remarks

Melinda Felix, Child are Advisory; showed support for a resolution to increase reimbursement rates for child development centers, support of Item 51

Carol Husbands, SF Unified Child Development; showed support for a resolution to increase reimbursement rates for child development centers, support of Item 51

Margaret; showed support for a resolution to increase reimbursement rates for child development centers, support of Item 51

Patrick Monette Shaw; opposed to a resolution condemning homophobia and misogyny, Item 54

Male Speaker; support of resolution Transit Village Plans, Item 46

Female speaker; expressed concern of child safety

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

050641 **[Legislative Analyst Request - Count of Homeless People]** Supervisor Daly

Motion requesting the Legislative Analyst to research and make recommendations on methodologies and standards for conducting the count of homeless people, with attention on interaction with government institutions and the overall quality of life of homeless people in San Francisco.

APPROVED.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

050629 **[Supporting Mayor's Energy Conservation Account]** Supervisors Mirkarimi, Ammiano

Resolution in support of sustaining the Mayor's Energy Conservation Account (MECA) fund and directing the SFPUC to implement funding for solar and efficiency projects.

Enacted Number: 297-05

ADOPTED

050630 [Settlement of San Francisco's potential claims against companies for images stenciled on city sidewalks for reimbursement to city in the amount of $7,000.00, and a $96,000 donation to the

Supervisors Dufty, Alioto-Pier, Ma, Maxwell

Resolution approving settlement of San Francisco's potential claims for fines, penalties and damages against NBC Universal, Inc., the USA Network, and related entities (the "Companies") arising out of the stenciling of marketing images on City sidewalks. Under the settlement, the companies: (1) shall pay $7,000.00 to San Francisco to reimburse the City for its out-of-pocket costs arising out of the incident; (2) shall make a $96,000.00 donation to the San Francisco Clean City Coalition; and (3) agree to make best efforts to prevent the perpetration of similar acts in the future. In exchange, San Francisco shall fully release the Companies from potential claims arising out of the stencils.

Enacted Number: 288-05

ADOPTED

050631 [California Million Solar Roofs Initiative]

Supervisors Ammiano, Daly, Mirkarimi

Resolution supporting the California Million Solar Roofs initiative (SB 1).

Enacted Number: 274-05

ADOPTED

050647 [Legislative bill number SB 521: Transit Village Plans]

Supervisors Sandoval, Mirkarimi

Resolution urging the California State Legislature to approve SB 521: Transit Village Plans, which makes it easier to create redevelopment areas near transit stations and thus creates incentives to build housing near transit.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 276-05

ADOPTED

050648 [Small Business Week]

Supervisors Ma, Dufty, Elsbernd, Maxwell, Mirkarimi

Resolution declaring April 25-29, 2005, as "Small Business Week" in the City and County of San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted 296-05

Number:
ADOPTED

050649 **[Earthquake Preparedness Month]** Supervisors Ma, Dufty, Elsbernd

Resolution declaring April 2005 to be "Earthquake Preparedness Month" in the City and County of San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted 282-05
Number:
ADOPTED

050650 **[Child Abuse Prevention Month]** Supervisors Ma, Dufty

Resolution recognizing April 2005 as "Child Abuse Prevention Month" in the City and County of San Francisco.

Enacted 281-05
Number:
ADOPTED

050651 **[Support the Efforts of the Exploratorium in Obtaining Increased Funding]** Supervisors Alioto-Pier, Elsbernd

Resolution supporting the Exploratorium in their efforts to continue and expand its essential work in educating the children of San Francisco and the Bay Area.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted 280-05
Number:
ADOPTED

050652 **[Child Development Centers Funding]** Supervisors Peskin, Ma

Resolution urging the State of California to increase reimbursement rates for child development centers contracting with the California Department of Education through Title V.

Supervisor Ma requested to be added as a co-sponsor.

Enacted 277-05
Number:
ADOPTED

050653 **[Parking Regulations]** Supervisor Peskin

Resolution urging the Department of Parking and Traffic to re-install a metered parking space at 933 Grant Avenue in Chinatown.

Enacted Number: 298-05
ADOPTED

050654 **[Supporting State Legislation AB 1296, San Francisco Bay Water Trail Act]** **Supervisors Peskin, Maxwell, Daly, Ma**

Resolution expressing support for AB 1296, the San Francisco Bay Water Trail Act, and urging the California State Legislature and Governor to support this measure.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 275-05
ADOPTED

050627 **[Needle Exchange Emergency]** **Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-56
APPROVED

050628 **[Extending Time for Negotiations - Local 856 for Supervising Nurses and Local 790 for Staff Nurses/ Per Diem Nurses]** **Supervisors Elsbernd, Ma**

Motion extending time for negotiations pursuant to Charter Section 11.100

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: M05-57
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Severed from Without Reference to Committee Agenda

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

050655 **[Condemning Homophobia and Misogyny]** Supervisor Peskin

Resolution condemning homophobic and misogynistic public remarks by the Executive Director and members of the Residential Builders Association of San Francisco.

REFERRED to the City Operations and Neighborhood Services Committee.

Supervisor Daly requested that this matter be severed so that it might be considered separately.

050390 **[Opposing H.R. 298]** Supervisors Peskin, Ammiano, Daly, Elsbernd, Mirkarimi

Resolution opposing H.R. 298, a bill sponsored by Rep. Richard Pombo to require the Secretary of the Interior to provide public access to the Farallon National Wildlife Refuge.

Amended on page 1, line 3, by deleting the word "sponsored."

Supervisor Mirkarimi requested to be added as a co-sponsor.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Resolution opposing H.R. 298, a bill introduced by Rep. Richard Pombo to require the Secretary of the Interior to provide public access to the Farallon National Wildlife Refuge.

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

050632 [Honoring the Legacy of Pope John Paul II] Supervisors Alioto-Pier, Elsbernd, Ma, McGoldrick

Resolution honoring the legacy of Pope John Paul II and the profound impact he had on all citizens of the world.

Amended by replacing "1930" with "1920".

Supervisors Ma and McGoldrick requested to be added as co-sponsors.

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

050684 [Ordering Vacation of the Ingleside Path] Supervisor Elsbernd

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of various sale agreements; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

4/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

050689 [Public Works Code - special status trees and Supervisor Daly

landmark trees]

Ordinance amending the Public Works Code by amending Sections 802, 804, 807, 808, and 811 and adding Section 810A to address removal, maintenance, and nomination of special status trees as defined herein and amending Section 810 to allow the City to landmark any tree within its territorial limits and under City jurisdiction.

4/19/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/19/2005.

050697 **[Requiring the Disaster Council to meet on a Quarterly Basis]** Mayor

Ordinance amending the San Francisco Administrative Code by amending Section 74., to require the Disaster Council to meet on a quarterly basis.

4/19/05, RECEIVED AND ASSIGNED to Rules Committee.

050698 **[Requiring the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.]** Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 7.19, to require the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.

4/19/05, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

050671 **[Ground Lease of Redevelopment Agency Land for 10th and Mission Family Housing]** Mayor

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lots 26 and 27, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to Mercy Housing California XIV, L.P., a California Limited Partnership, for 65 years for the purpose of developing housing for very low income family households, including formerly chronically homeless households.

(Fiscal impact.)

4/19/05, RECEIVED AND ASSIGNED to Board of Supervisors.

050673 **[Ground Lease of Redevelopment Agency Land for 9th and Jessie Senior Housing]** Mayor, Supervisor Daly

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lot 51, commonly

known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to MERCY HOUSING CALIFORNIA, a California nonprofit public benefit corporation, for 55 years for the purpose of developing housing for very low income senior households.

(Fiscal impact.)

4/19/05, RECEIVED AND ASSIGNED to Board of Supervisors. 5/9/05 - Supervisor Daly requested to be added as a co-sponsor.

050675 **[Allocation of Mental Health Services Act Funds]** **Supervisors Maxwell, Ammiano, Daly, Mirkarimi**

Resolution establishing mental health services for San Franciscans exposed to gun and gang violence and for youth in the juvenile justice system as policy priorities in the Board of Supervisors' review of the City's submission to the State for Mental Health Services Act funds.

4/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 04/22/05 - Referred to the Youth Commission for review and comment.

050676 **[Accept - Expend State Grant - S.F. Library]** **Supervisors McGoldrick, Sandoval**

Resolution authorizing the San Francisco Public Library to accept and expend funds in the amount of $5,958,841 from the state Office of Library Construction from funds made available under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 for the renovation and expansion of the Richmond/ Senator Milton Marks Branch Library.

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050677 **[Apply For State Used Oil Recycling and Household Hazardous Waste Management Grants]** **Supervisor Mirkarimi**

Resolution authorizing the Department of the Environment to apply for annual grants from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050680 **[Bond Sale of Zoo Facilities Bonds]** **Supervisors Elsbernd, Sandoval**

Resolution authorizing and directing the sale of not to exceed $7,505,000 City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), Series 2005H; prescribing the form and terms of said bonds;

authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050681 **[Bond Sale of Branch Library General Obligation Bonds]** Supervisor Elsbernd

Resolution authorizing and directing the sale of not to exceed $45,000,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000), Series 2005G; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050682 **[Bond Sale of California Academy of Sciences Improvement Bonds]** Supervisors McGoldrick, Elsbernd, Sandoval

Resolution authorizing and directing the sale of not to exceed $79,370,000 General Obligation Bonds (California Academy of Sciences Improvement Bonds, 2000), Series 2005E; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050685 [Vacation of the Ingleside Path] Supervisor Elsbernd

Resolution declaring the intention of the Board of Supervisors to vacate the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets; setting the hearing date for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the eight priority policies of Planning Code Section 101.1.

4/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

050692 [Traffic Regulation - Scott Street between Lombard and Chestnut Streets] Supervisor Alioto-Pier

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Scott Street between Lombard and Chestnut Streets from 1:30 P.M. to 8:15 P.M. on every Tuesday between May 24, 2005 through October 25, 2005.

4/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 04/22/05 - Referred to Parking and Traffic for determinations of environmental impact and review. 04/26/05 - Parking and Traffic notified of hearing for posting requirements and advertisement placed in the 05/03/05 edition of the SF Chronicle. 05/02/05 - Response received from Parking and Traffic, categorically exempt from environmental review.

050693 [Temporary Sidewalk Occupancy] Supervisor Alioto-Pier

Resolution allowing for occupancy of a portion of the sidewalk on the east side of Fillmore between Chestnut and Bay street from 8:00 A.M. to 3:00 P.M. on every Saturday between May 28, 2005 through October 29, 2005.

4/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

050694 [Accept - Expend State Grant - S.F. Library] Supervisors Sandoval, Elsbernd

Resolution authorizing the San Francisco Public Library to accept and expend funds in the amount of $3,751,943 from the state Office of Library Construction from funds made available under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 for the construction of the new Ingleside Branch Library.

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050695 [Adoption of Board of Supervisors' 2005 Budget Process and Policy Priorities] Supervisors Ammiano, Daly, Elsbernd, McGoldrick, Ma, Mirkarimi

Resolution adopting the San Francisco Board of Supervisors' 2005 Budget Process and Policy Priorities.

4/19/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050696 [STOP Intersections] Supervisor Dufty

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Arlington Street at Fairmount Street, making this intersection a All-Way STOP.

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

4/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 04/22/05 - Referred to Parking and Traffic for determinations of environmental impact and review. 05/02/05 - Response received from Parking and Traffic, categorically exempt from environmental review. 05/23/05 - Parking and Traffic notified to post notices and ad place in the 05/28/05 edition of the SF Chronicle.

050700 [Commending California Democratic Party and LGBT Caucus] Supervisor Ammiano

Resolution commending the California Democratic Party for adopting a resolution in support of public policy that guarantees civil marriage equality for all people who choose to make a marriage commitment as a couple with full rights, responsibilities, privileges and protections that are conveyed by full legal marital status within the marriage license requirements of equal rights for all families and further commending the Lesbian Gay Bisexual Transgender Caucus of the California Democratic Party for their exemplary work.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050701 [Zoning - Extension of Planning Commission Review Period] Supervisor Ammiano

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to define a single room occupancy unit as a unit that is affordable to very low income or extremely low income households.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050702 [Aung San Suu Kyi Day] Supervisor Ammiano

Resolution declaring on the occasion of Aung San Suu Kyi's 60th birthday,

June 19th, 2005 as "Aung San Suu Kyi Day" in the City and County of San Francisco.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050703 **[Extending the Arts Task Force to November 1, 2005]** **Supervisor Ammiano**

Resolution establishing an Arts Task Force to make recommendations to the Board of Supervisors and Mayor and setting forth the membership and duties of the Task Force.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050704 **[Commending Lance Armstrong]** **Supervisors Daly, McGoldrick, Ammiano, Sandoval, Mirkarimi, Elsbernd**

Resolution commending Lance Armstrong on his stellar career and wishes him well in his final Tour de France and declaring July 24, 2005 as "Lance Armstrong Day" in the City and County of San Francisco.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050711 **[Urging the Department of Parking and Traffic to establish a blue zone in front of St. Aidan's Church]** **Supervisor Dufty**

Resolution urging the Department of Parking and Traffic to establish a blue zone in front of St. Aidan's Church.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050712 **[Urging California Department of Social Service to provide automated translations of IHSS Notices of Action]** **Supervisors Ma, McGoldrick**

Resolution encouraging the California Department of Social Services, Adult Services Branch, to modify the State computer system (CMIPS) which generates Notices of Action to In-Home Supportive Services consumers, so that Notices can be generated in languages other than English and Spanish.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050713 **[Asian Pacific American Heritage Month]** **Supervisors Ma, Dufty, Maxwell, McGoldrick, Elsbernd**

Resolution recognizing May 2005 as "Asian Pacific American Heritage Month" in the City and County of San Francisco.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050714 **[Accept-Expend State Grant]** Supervisor Peskin

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $100,000 from the Association of Bay Area Governments (San Francisco Bay Trail Project) for the Downtown Ferry Terminal Public Pier Project.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050715 **[Accept-Expend State Grant]** Supervisor Peskin

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $400,000 from the California Department of Transportation for the Downtown Ferry Terminal Public Pier Project.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050716 **[Commending San Francisco Public Utilities Commission]** Supervisor Peskin

Resolution commending the San Francisco Public Utilities Commission for its outstanding performance and receiving awards for leadership in wastewater treatment and renewable energy resources.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050717 **[Queen Beatrix]** Supervisors Peskin, McGoldrick

Resolution sending warmest regards to Queen Beatrix of the Netherlands.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050718 **[Supporting California Assembly Bill No. 1125: Household Battery Recycling Act]** Supervisor Sandoval

Resolution urging the California legislature to pass AB 1125: Household Battery Recycling Act.

4/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

050670 **[Hearing - Ground Lease of Redevelopment Agency Land for 10th and Mission Family Housing]**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lots 26 and 27, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to Mercy Housing California XIV, L.P., a California Limited Partnership, for 65 years for the purpose of developing housing for very low income family households, including formerly chronically homeless households. (Clerk of the Board)

4/19/05, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on May 10, 2005 at 4:30 p.m.

050672 **[Hearing - Ground Lease of Redevelopment Agency Land for 9th and Jessie Senior Housing]**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lot 51, commonly known as 9th and Jessie Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to MERCY HOUSING CALIFORNIA, a California nonprofit public benefit corporation, for 55 years for the purpose of developing housing for very low income senior households. (Clerk of the Board)

4/19/05, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on May 10, 2005 at 4:30 p.m.

050678 **[Citizen Survey]** **Supervisor Peskin**

Hearing regarding a report by the Controller's Office City Services Auditor on the Citizen survey, an annual survey of constituent opinions on city services.

4/19/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050683 **[Hearing - Ordering vacation of the Ingleside Path]**

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of various sale agreements; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in

connection with this Ordinance. (Clerk of the Board)

4/19/05, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on _____ at ____p.m.

050686 **[Impact of proposed UCSF Hospital on the Mission Bay Redevelopment Plan]** Supervisor Maxwell

Hearing on potential impacts of the proposed UCSF Hospital on the Mission Bay Redevelopment Plan.

4/1/49, RECEIVED AND ASSIGNED to Land Use Committee.

050687 **[City Policy for Meeting the Housing Needs of S.F. Residents]** Supervisor Maxwell

Hearing to review the City's policy for meeting the housing needs of San Francisco's residents.

4/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

050688 **[Report conducted by the California Department of Health]** Supervisor Ammiano

Hearing to inquire into the results of the report to the Joint Legislative Audit Committee, Seismic Safety Commission conducted by the California Department of Health Services.

4/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050690 **[District Disaster Relief Centers]** Supervisors Ma, Dufty, Maxwell

Hearing to investigate the feasibility of establishing district disaster relief centers throughout the city's neighborhoods that provide local residents information and services in the event of an emergency.

4/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050719 **[Youth Guidance Center]** Supervisor Peskin

Hearing regarding upcoming report by the Controller's Office City Services Auditor on staffing efficiencies at the Youth Guidance Center and additional ways to control overtime usage and staffing issues related to the new building they are to occupy next fiscal year.

4/19/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050691 **[Developer fees and inclusionary housing** Supervisor Sandoval

requirements in the Rincon Hill Area Plan]

Hearing on developer fees and inclusionary housing requirements in the Rincon Hill Area Plan. Specifically, the hearing should include discussion of: (1) Developer fees for public benefits in the new Rincon Hill neighborhood; (2) Developer fees for citywide public benefits, such as street tree planting; (3) The percentage of affordable housing to be included in development plans; (4) The location of the off-site affordable housing; (5) Tax benefits that will accrue as a result of Rincon Hill development projects.

4/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

Motions

050679 [Audit Priorities] Supervisor Peskin

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments.

4/19/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050699 [Amending Board's Rules of Order to provide that the Board of Supervisors shall meet as a committee of the whole when it conducts its annual hearing on the state of the City's disaster Supervisor Ma

Motion amending the Board of Supervisors' Rules of Order by adding Rule No. 2.32, to provide that the Board of Supervisors shall meet as a committee of the whole when it conducts the annual hearing on the state of the City's disaster preparedness required by Administrative Code Section 7.19.

4/19/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

050616 [Water Rates]

Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco. (Public Utilities Commission)

(Fiscal impact.)

4/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050571 [Settlement of Lawsuit - Teri Smith]

Ordinance authorizing settlement of the lawsuit filed by Teri Smith against the City and County of San Francisco for an agreement to spend an amount not to exceed $1,100,000.00 to make certain disability access improvements at the San Francisco Zoo; the lawsuit was filed on June 19, 2002 in US District Court (Case No C02-2936 PJH).

4/11/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

050617 [Airport Concession Lease]

Resolution approving the Boarding Areas "B" and "C" Books and News Stores Lease between DeLaVe, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)

4/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050619 [Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]

Resolution authorizing the Airport Commission to accept and expend grant funds in a total amount of $20,066,423 from the Federal Aviation Administration: $6,066,423 (A.I.P 28, Project No. 3-06-0221-28); $8,250,000 (A.I.P 31, Project No. 3-06-0221-31), and $5,750,000 (A.I.P 32, Project No. 3-06-0221-32) for Airport standard and security improvements. (Airport Commission)

4/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the repair of a large crack in the center of Grove Street between Octavia and Gough.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the pothole in the intersection of Fillmore Street and Hayes Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the empty sidewalk squares on the west side of Masonic between Fell Street and Hayes Street.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: To draft Charter amendment language for creating professional qualifications defining the post of Assessor-Recorder in accordance with the Assessor's ability to equitably and effectively administer the property assessment system of the City and County of San Francisco; to further request that the City Attorney provide Charter language options in transforming the office of Assessor-Recorder as an appointed rather than an elected post.

From: Supervisor Sandoval

To: Interim Director, Planning Department

Requesting/Inquiring: To report on upcoming hearing regarding developer fees and inclusionary housing requirements in the Rincon Hill Area Plan.

In Memoriams

Marla Ruzicka (Entire Board)

Luis Urena (Supervisor Daly)

Eunice Jackson-Bull (Supervisor Dufty)

Raul Riego (Supervisor Elsbernd)

Mary Harris (Supervisor Elsbernd)

Olivia Murray (Supervisor Elsbernd)

Donald W. Jin (Supervisor McGoldrick)

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:07 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 17, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

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The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the

Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
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Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, April 26, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona*

Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisors Alioto-Pier and McGoldrick were noted absent.

Quorum present.

Supervisor Alioto-Pier was noted present at 2:07 p.m.

Supervisor McGoldrick was noted present at 2:18 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Sandoval, moved to approve March 22 and March 29, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

050415 [Establishing a tour bus restriction on Baker Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.35 to establish a tour bus restriction on Baker Street between Richardson Avenue and Union Street. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

PASSED, ON FIRST READING

050420 **[Establishing a tour bus restriction on Broderick Street]**

Ordinance amending the San Francisco Police Code by adding Section 1183.36 to establish a tour bus restriction on Broderick Street between Richardson Avenue and Union Street. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

PASSED, ON FIRST READING

050421 **[Establishing a tour bus restriction on Chestnut Street]**

Ordinance amending the San Francisco Police Code by adding Section 1183.32 to establish a tour bus restriction on Chestnut Street between Lyon Street and Richardson Avenue. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

PASSED, ON FIRST READING

050478 **[Establishing a tour bus restriction on Greenwich Street]**

Ordinance amending the San Francisco Police Code by adding Section 1183.33 to establish a tour bus restriction on Greenwich Street between Lyon and Divisadero Streets. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

PASSED, ON FIRST READING

050479 **[Establishing a tour bus restriction on Filbert Street]**

Ordinance amending the San Francisco Police Code by adding Section 1183.34 to establish a tour bus restriction on Filbert Street between Lyon and Divisadero Streets. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

PASSED, ON FIRST READING

050525 **[Establishing commercial vehicle weight restrictions on Broderick Street]**

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.58 to establish a commercial weight restriction on Broderick Street between Richardson Avenue and Union Street. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

PASSED, ON FIRST READING

050526 **[Extending commercial vehicle weight restrictions on Chestnut Street]**

Ordinance amending the San Francisco Traffic Code by amending Section 28.5.9 to extend the commercial vehicle weight restriction on Chestnut Street to include Chestnut Street between Lyon and Broderick Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

PASSED, ON FIRST READING

050527 **[Establishing commercial vehicle weight restrictions on Greenwich Street]**

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.57 to establish a commercial vehicle weight restriction on Greenwich

Street between Divisadero and Lyon Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

PASSED, ON FIRST READING

050528 **[Establishing commercial vehicle weight restrictions on Filbert Street]**

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.59 to establish a commercial weight restriction on Filbert Street between Divisadero and Lyon Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

PASSED, ON FIRST READING

050529 **[Extending commercial vehicle weight restrictions on Baker Street]**

Ordinance amending the San Francisco Traffic Code by amending Section 28.5.3, establishing a commercial vehicle weight restriction on Baker Street, by extending the restriction to include Baker Street between Union Street and Marina Boulevard. (Parking and Traffic Department)

(DPT Order No. 2974.)

PASSED, ON FIRST READING

050378 **[Traffic Regulations - Bike Lanes]**

Resolution enacting bike lanes on Fulton Street.

BIKE LANES - ESTABLISH
Fulton Street, both directions, from Baker Street to Octavia Street.
(Municipal Transportation Agency)

(See hard copy for environmental review determination.)

Enacted Number: 301-05

ADOPTED

050379 [Traffic Regulations]

Resolution enacting bike lanes and other traffic regulations on Oakdale Avenue.

BIKE LANES - ESTABLISH
Oakdale Avenue, both directions, from Bayshore Boulevard to Selby Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Oakdale Avenue, northside, from Selby Street to 175' easterly.
Oakdale Avenue, southside, from Patterson Street to 100' east of Loomis Street.

LEFT LANE MUST TURN LEFT - ESTABLISH
Oakdale Avenue, eastbound, approaching Selby Street. (Municipal Transportation Agency)

(See hard copy for environmental review determination.)

Enacted Number: 302-05
ADOPTED

050403 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "V" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Eastwood Drive, both sides, between Miramar Avenue and San Ramon Way (Unit block).

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Putman Street, east side, between Crescent and Tompkins Avenues.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Stevenson Street, south side, between 2nd and New Montgomery Streets.

ONE HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Alabama Street, west side, from 15th Street to 100 feet northerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Key Avenue, both sides, south of the south property line of 938 Key Avenue and along southern terminus.

NO PARKING ANYTIME - ESTABLISH
Prentiss Street, east side, from Chapman Street to 100 feet northerly.

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH
Castro Street, east side, between 25th and Jersey Streets (6-month trial).

PARKING METER AREA NO. 1, 30-MINUTE PARKING TIME LIMIT - RESCIND
PARKING METER AREA NO. 1, 2-HOUR PARKING TIME LIMIT - ESTABLISH

Washington Street, both sides, from The Embarcadero to Davis Street.

PARKING METER AREA NO. 1, 30 MINUTE PARKING TIME LIMIT - RESCIND
PARKING METER AREA NO. 1, 2-HOUR PARKING TIME LIMIT - ESTABLISH
Drumm Street, from Washington to Clay Streets.

PARKING METER AREA NO. 1, 30 MINUTE PARKING TIME LIMIT - RESCIND
PARKING METER AREA NO. 1, 2-HOUR PARKING TIME LIMIT - ESTABLISH
Clay Street, from Drumm Street to Davis Street.

TOW-AWAY, NO PARKING ANYTIME - EXTENSION
1300 block of DeHaro Street, west side of median wall, from the projection of the northerly boundary line of #1351-1355 DeHaro Street to 4 feet northerly (4-foot extension).

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 8 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Shotwell Street, both sides, between 25th and 26th Streets (1100 block) (increases the time limit from 1-Hour to 2 Hours).

TOW-AWAY NO STOPPING, 4 PM - 6 PM, MONDAY THROUGH FRIDAY, TAXI ZONE, ALL OTHER TIMES - RESCIND
NO PARKING, TAXI ZONE - ESTABLISH
4th Street, west side, from Minna Street to 150 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Harriet Street, south side, from Brannan Street property line to 30 feet easterly.

TOW AWAY NO STOPPING, 3 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Fremont Street, east side, from 219 feet to 349 feet north of Howard Street.

NO PARKING ANYTIME - ESTABLISH
Somerset Street, west side, from Campbell Avenue to 100-feet southerly.

TOW-AWAY, NO STOPPING ANYTIME, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Turk Street, north side, between Van Ness Avenue and Franklin Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Missouri Street, west side, from 80 feet to 130 feet north of 23rd Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
O'Farrell Street, south side, from 58 feet west of Van Ness Avenue to 100 feet westerly (to establish a 100-foot bus zone bulb with 12-foot taper at the west

Enacted Number: 303-05
ADOPTED

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE LEFT TURN LANES - RESCIND
Turk Street, westbound, at Gough Street (removing the option to turn left from the middle lane but still requiring the left lane to turn left).

BUSES AND TAXIS ONLY AFTER CANDLESTICK PARK EVENTS - ESTABLISH
Ingerson Avenue, westbound, between Hawes and 3rd Streets.

NO LEFT TURN - ESTABLISH
Lake Merced Boulevard, northbound, at Skyline Boulevard (north leg only).

LEFT LANE MUST TURN LEFT - ESTABLISH
Holloway Avenue, eastbound and westbound, at Junipero Serra Boulevard.

MULTIPLE LEFT TURN LANES - RESCIND
LEFT LANE MUST TURN LEFT - RESCIND
Howard Street, westbound, at 6th Street.

LEFT LANE MUST TURN LEFT EXCEPT BUSES AND TAXIS - ESTABLISH
4th Street, southbound, at Bryant Street.

DIAMOND LANE: LEFT LANE BUSES, TAXIS AND LEFT TURNS ONLY - RESCIND
4th Street, southbound, between Bryant and Townsend Street.

BUSES AND TAXIS ONLY - ESTABLISH
4th Street, southbound, second lane from left at Brannan Street; and
4th Street, southbound, second lane from left at Townsend Street.

LEFT LANE MUST TURN LEFT, RIGHT LANE MUST TURN RIGHT - ESTABLISH
10th Avenue, northbound, approaching Fulton Street.

NO TURN ON RED - RESCIND
Shrader Street at Fell Street. (Parking and Traffic Department)

(3/7/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2961.)

Supervisor Elsbernd requested to be added as sponsor.

Enacted Number: 304-05

ADOPTED

050405 **[STOP Intersections]** **Supervisor Elsbernd**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Westgate Drive and Darien Way, installing STOP signs at this intersection, making this intersection an All-Way STOP;
Newhall Street and Quesada Avenue, stopping Newhall Street at Quesada Avenue, making this intersection an All-Way STOP;
Wisconsin and 22nd Streets, stopping Wisconsin at 22nd Street making this intersection an All-Way STOP;

Bacon and Hamilton Streets, stopping Bacon Street, making this intersection an All-Way STOP;
Somerset Street and San Bruno Avenue, stopping Somerset Street at San Bruno Avenue, the stem of this Y-intersection;
Octavia Frontage Road, stopping southbound Octavia Frontage Road at Market Street;
Octavia Frontage Road, stopping northbound Octavia Frontage Road at Hayes Street;
Ingalls Street at Armstrong Street, making intersection All-Way STOP;
Jennings Street at Wallace Street, making intersection All-Way STOP;
Hawes Street at Quesada Street, making intersection All-Way STOP; and
Hoff Street at 16th and 17th Streets, stopping the stem of these T-intersections. (Parking and Traffic Department)

(3/7/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2961.)

Supervisor Elsbernd requested to be added as sponsor.

Enacted Number: 305-05

ADOPTED

050406 [Accept-Expend State Grant - Vertical Prosecution Program]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $290,562 through the California Governor's Office of Criminal Justice Planning (OCJP A301) for the operation of a program entitled "Vertical Prosecution Program." (District Attorney)

Enacted Number: 306-05

ADOPTED

050407 [Accept-Expend State Grant - Victim & Witness Assistance Program]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $562,287 through the California Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Victim & Witness Assistance Program." (District Attorney)

Enacted Number: 307-05

ADOPTED

050499 [Traffic Regulations - Bike Lanes] Supervisor Daly

Resolution enacting bike lanes on Market Street.

Enacted Number: 308-05

ADOPTED

Recommendations of the Rules Committee

050328 [Settlement of Lawsuit - Mary Jane Gregory]

Ordinance authorizing settlement of the lawsuit filed by Mary Jane Gregory against the City and County of San Francisco for $30,000.00; the lawsuit was filed on February 13, 2003 in the San Francisco Superior Court, Case No. 417384; entitled Mary Jane Gregory v. City and County of San Francisco, et al.

Enacted Number: 77-05

FINALLY PASSED

050418 [Settlement of Lawsuit - James Tucker]

Ordinance authorizing settlement of the lawsuit filed by James Tucker against the City and County of San Francisco for $60,000; the lawsuit was filed on September 9, 2003 in San Francisco Superior Court, Case No. 424-256; entitled James Tucker, et al. v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 78-05

FINALLY PASSED

050581 [Settlement of Claims - Pacific Gas & Electric Company]

Ordinance approving the partial settlement of claims asserted by the City and County of San Francisco in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM, and by Pacific Gas & Electric Company against the City and County of San Francisco in that same proceeding. (City Attorney)

Enacted Number: 76-05

FINALLY PASSED

050585 [Appointment - Back Streets Business Advisory Board]

Resolution appointing Mark Klaiman, Mark Dwight, David Lupo, My Do, Peter Cohen and Oscar Grande, terms ending November 16, 2006, to the Back Streets Business Advisory Board.

Mark Klaiman, new appointment, seat 3, must be a current or former owner, operator, or officer of a core PDR Back Streets business located in San Francisco, for the unexpired portion of a two-year term ending November 16, 2006. Mark Dwight, new appointment, seat 4, must be an officer or representative of an organization that represents San Francisco businesses, for the unexpired portion of a two-year term ending November 16, 2006. David Lupo, new appointment, seat 5, must be an officer or representative of a labor union or other labor organization, for the unexpired portion of a two-year term ending November 16, 2006.My Do, new appointment, seat 6, must be an officer or representative of an economic development or planning organization or association, or of an academic institution, for the unexpired portion of a two-year term ending November 16, 2006. Peter Cohen, new appointment, seat 7, must be a person who has a demonstrated interest in and knowledge pertaining to Back Street businesses, for the unexpired portion of a two-year term ending November 16, 2006. Oscar Grande, new appointment, seat 8, must be a person who has a demonstrated interest in and knowledge pertaining to Back Street businesses, for the unexpired portion of a two-year term ending November 16, 2006.

Enacted Number: 309-05

ADOPTED

050586 [Appointment - Treasure Island Development Authority Citizens Advisory Board]

Resolution appointing Mera Granberg and Natalie Bonnewit, terms ending December 31, 2008, to the Treasure Island Development Authority Citizens Advisory Board.

Mera Granberg, succeeding Manuel Jimenez, resigned, seat 6, must possess any of the following qualifications: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending December 31, 2008. Natalie Bonnewit, succeeding Marnella Goncalves, resigned, seat 10, must

possess any of the following qualifications: Any of the following: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending December 31, 2008.

Enacted Number: 310-05
ADOPTED

050587 **[Appointment - Western SoMa Citizens' Planning Task Force]**

Resolution appointing Jim Meko, Nicholas Rosenberg, Antoinetta Stadlman, Karen Nolan, Jim Berk, Frank McGrath, April Veneracion, Judy Carman, Terrance Alan, John Elberling, Charles Breidinger, Marc Salomon, Sharon Kim, Jeremy Nelson and Richard Kempis, terms ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Jim Meko, new appointment, seat 1, must be a resident of western SoMa for more than three years, for the unexpired portion of a three-year term ending November 23, 2007. Nicholas Rosenberg, new appointment, seat 2, must be a resident of western SoMa for less than three years, for the unexpired portion of a three-year term ending November 23, 2007. Antoinetta Stadlman, new appointment, seat 3, must reside in a Single Room Occupancy hotel in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007. Karen Nolan, new appointment, seat 5, must be raising a family in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007. Jim Berk, new appointment, seat 6, must be a senior residing in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007. Frank McGrath, new appointment, seat 7, must operate a local business in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007. April Veneracion, new appointment, seat 8, must work with a community-based organization in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007. Judy Carman, new appointment, seat 9, must represent the arts, for the unexpired portion of a three-year term ending November 23, 2007.

Enacted Number: 311-05
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

050579 [Adopting findings related to the tentative parcel map appeal on property located at 4005 Mission Street]

Motion adopting findings related to the appeal of the decision of the Department of Public Works approving a tentative parcel map to authorize a 3-unit condominium subdivision at 4005 Mission Street (Assessor's Block 5835, Lot 75). (Clerk of the Board)

(Companion measure to Files 050374, 050375, 050376, 050377, 050486, 050487, 050488.)

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

APPROVED AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

050668 [Adopting findings related to the determination that the appeal of the negative declaration for the 606-624 Divisadero Street project was timely]

Motion adopting findings related to the determination that the appeal of the negative declaration for the 606-624 Divisadero Street project was timely filed. (Clerk of the Board)

(Companion measure to Files 050287, 050288, 050289, 050290, 050400, 050401, 050402.)

Enacted Number: M05-62

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

NEW BUSINESS

Recommendation of the Budget and Finance Subcommittee

050431 **[To re-appropriate bond sales proceeds from 3 capital projects, funded by General Obligation Bonds; and to re-appropriate the bond sales proceeds from 11 projects, funded by Lease Revenue**

Mayor, Supervisors McGoldrick, Elsbernd

Ordinance re-appropriating $15,964,440 from 3 large capital projects within the 2000 Neighborhood Recreation and Park Facilities Improvement General Obligation Bond to fund the improvement and construction of parks and open space for 11 neighborhood park projects within the Lease Revenue Bond Capital Program. Projects include Rossi Playground, Fay Park Garden, SOMA Park, Junipero Serra Playground/Clubhouse, Sunnyside Playground/Clubhouse, Sunnyside Conservatory, Rolph Park Clubhouse, Herz Playground/Coffman Pool, Visitacion Greenway Senior Park, Moscone Recreation Center and St. Mary's Playground; and

Re-appropriating $15,964,440 from 11 various projects within the Lease Revenue Bond Capital Program to fund the improvement and construction of parks and open space for 3 large capital projects within the 2000 Neighborhood Recreation and Park Facilities Improvement General Obligation Bond program; Moscone Recreation Center - Phase I, Chinese Recreation Center and Larsen Sava Pool.

(Fiscal impact.)

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Recommendations of the City Operations and Neighborhood Services Committee

050273 [Liquor License, 1151 Folsom Street]

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license in exchange for a Type 47 on-sale general eating place license to Jonathan Ching Yang Chiu, for Eight located at 1151 Folsom Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 299-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

050327 [Liquor License, 90 Natoma Street]

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to John Guiffre and Colin O'Malley, for John Colin's located at 90 Natoma Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 300-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Recess

The Board recessed at the hour of 3:07 p.m.

Reconvening of the Board

The Board at the hour of 3:29 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

Maxwell, Mirkarimi, Peskin, Sandoval - 10

Quorum present.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Daly, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Sandoval welcomed, introduced and presented a Certificate of Honor to Hector Hugo Herrera, Consul General of El Salvador.

Supervisor Sandoval welcomed, introduced and presented a Certificate of Honor to Erika Pineda Sharron, Consul General of Guatemala.

Supervisor Daly welcomed, introduced and presented a Certificate of Honor to Abdullah Megahed.

Supervisor Alioto-Pier welcomed, introduced and presented a Certificate of Honor to Iris Chavez.

SPECIAL ORDER 4:00 P.M.

041275 **[Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building

for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

Continued to June 28, 2005

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to June 28, 2005.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to June 28, 2005.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

041278 **[Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to June 28, 2005.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

SPECIAL ORDER 4:00 P.M.

050380 **[Public Hearing - Appeal of Categorical Exemption for No.1 La Avanzada Street (aka 250 Palo Alto Avenue)]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 10, 2005, Case No. 2005.0021E, exempting from environmental review the proposed installation of a new low-power FM antenna for KNGY FM-92.7, four satellite receive-only dishes for KPIX TV-5 and an emergency generator for KBHK TV-44. The project is located at No.1 La Avanzada Street (aka 250 Palo Alto Avenue), on Mount Sutro and is zoned RH-1(D). The individual components are described below.

Low-Power FM Antenna: KNGY is an existing radio station that now broadcasts from the top of a residential building at 1101 Green Street on Russian Hill. The proposed project would relocate KNGY from its current location by allowing the installation of a new low-power FM antenna on Sutro Tower. KNGY currently operates at 3,600 watts of effective radiated power. The new antenna will operate at 510 watts of effective radiated power. The antenna will be approximately 15 feet high by 5 feet wide by 2 feet deep, and will be mounted on the north leg of Sutro Tower at Level 3, approximately 380 feet above ground using an existing set of brackets installed to support a previously approved antenna. No alteration to the existing equipment building at the base of Sutro Tower would be required.

(Appellants: Siu Ling Chen for Midtown Terrace Homeowner's Association, Liaison to Sutro Tower and Doris Linnenbach for Twin Peaks Improvement Association, Liaison to Sutro Tower.)

(Filed February 28, 2005; companion measure to Files 050381, 050382, 050383; District 7.)

Walter Caplan, Representing the appellants

Dave Bisho, President, West of Twin Peaks Central Council; support of appellants

Donna Crowder; support of appellants

Dr. Gwendolyn Evans; support of appellants

Male Speaker, President, Midtown Terrace; support of appellants

Dr. Robert Nachtigal; support of appellants

Denise La Pointe, President, Twin Peaks Improvement Association; support of appellants

Doug Lauringer; support of appellants

Judy Berk, Coalition for San Francisco Neighborhoods; support of appellants

Male Speaker, support of appellants

Catherine Goldman; support of appellants

Gerdi Lee; support of appellants

Eileen Boken; support of appellants

George, Vice President, Twin Peaks Improvement Association; support of appellants

Christine Linnenbach, Twin Peaks Improvement Association; support of Appellants

Joan Girardo; support of Appellants

Doris Linnenbach, Twin Peaks Improvement Association; support of appellants

Christine Zayback; support of appellants

Marilyn Amini; support of appellants

Paul Maltzer, Planning Department staff reviewed with the Board the Planning Department's recommendation.

Robert McCarthy, McCarthy Schwartz, Representing the project sponsors

Debra Stein, GCA, Representing project sponsors

Lon, General Manager, KPIX and KBHK; support of project sponsors

Joe Baglis, KNGY FM-92.7; support of project sponsors

Jill Center, Alzheimer Association; support of project sponsors

James Asater, General Manager, Sutro Tower, Inc.; support of project sponsors

Mr. Wades, General Manager, KMTG; support of project sponsors

Michael Emaluck, Director of Engineering, KPIX and KBHK; support of project sponsors

Alan Hirsh, Vice President of Engineering, 3-Point Media, San Francisco; support of project sponsors

Rebuttal Period:

Walter Caplan, Representing the

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

050381 [Affirming the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]

Motion affirming the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved to table this matter.

Motion to table this matter failed by the following vote:

Ayes: 3 - Ammiano, Daly, Mirkarimi

Noes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval

Absent: 1- McGoldrick

Enacted Number: M05-61

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi
Absent: 1 - McGoldrick

050382 [Disapproving the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]

Motion disapproving the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved to approve this matter.

Motion to approve this matter failed by the following vote:

Ayes: 3 - Ammiano, Daly, Mirkarimi

Noes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval

Absent: 1- McGoldrick

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi
Absent: 1 - McGoldrick

050383 [Preparation of findings related to the categorical exemption issued for 1 La Avanzada Street (aka 250 Palo Alto Avenue)]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-60

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi
Absent: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Supervisor McGoldrick was noted absent at 2:45 p.m.

James Chaffee; concerned about time allowed speakers

Claudette Main; concerned about chlorine in water

Anthony Travis, DPW worker, expressed concern about being laid off

Male Speaker, DPW worker; expressed concern about being laid off

Steve Chin, DPW worker; expressed concern about being laid off

Mr. Rodriguez, DPW worker; expressed concern about being laid off

Kevin Johnson, DPW worker; expressed concern about being laid off

Brian Hill, DPW worker; expressed concern about being laid off

Male Speaker, DPW worker; expressed concern about being laid off

Eugene Gordon, Jr., expressed concern with general issues

Mr. Kamula, DPW worker; expressed concern about being laid off

Lilo Sanford, expressed support for laid off workers

Male Speaker, DPW worker; expressed concern about being laid off

Jakkee Bryson, showed interest in the Board of Supervisors review Project Connect

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

050700 **[Commending California Democratic Party and LGBT Caucus]** Supervisor Ammiano

Resolution commending the California Democratic Party for adopting a resolution in support of public policy that guarantees civil marriage equality for all people who choose to make a marriage commitment as a couple with full rights, responsibilities, privileges and protections that are conveyed by full legal marital status within the marriage license requirements of equal rights for all families and further commending the Lesbian Gay Bisexual Transgender Caucus of the California Democratic Party for their exemplary work.

Enacted Number: 313-05

ADOPTED

050701 **[Zoning - Extension of Planning Commission Review Period]** Supervisor Ammiano

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to define a single room occupancy unit as a unit that is affordable to very low income or extremely low income households.

Enacted Number: 314-05

ADOPTED

050702 **[Aung San Suu Kyi Day]** Supervisor Ammiano

Resolution declaring on the occasion of Aung San Suu Kyi's 60th birthday, June 19th, 2005 as "Aung San Suu Kyi Day" in the City and County of San Francisco.

Enacted Number: 315-05

ADOPTED

050704 **[Commending Lance Armstrong]** Supervisors Daly, McGoldrick, Ammiano, Sandoval, Mirkarimi, Elsbernd

Resolution commending Lance Armstrong on his stellar career and wishes him well in his final Tour de France and declaring July 24, 2005 as "Lance Armstrong Day" in the City and County of San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 317-05

ADOPTED

050711 [Urging the Department of Parking and Traffic to establish a blue zone in front of St. Aidan's Church] Supervisor Dufty

Resolution urging the Department of Parking and Traffic to establish a blue zone in front of St. Aidan's Church.

Enacted Number: 318-05

ADOPTED

050712 [Urging California Department of Social Service to provide automated translations of IHSS Notices of Action] Supervisors Ma, McGoldrick

Resolution encouraging the California Department of Social Services, Adult Services Branch, to modify the State computer system (CMIPS) which generates Notices of Action to In-Home Supportive Services consumers, so that Notices can be generated in languages other than English and Spanish.

Enacted Number: 319-05

ADOPTED

050713 [Asian Pacific American Heritage Month] Supervisors Ma, Dufty, Maxwell, McGoldrick, Elsbernd

Resolution recognizing May 2005 as "Asian Pacific American Heritage Month" in the City and County of San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 320-05

ADOPTED

050714 [Accept-Expend State Grant] Supervisor Peskin

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $100,000 from the Association of Bay Area Governments (San Francisco Bay Trail Project) for the Downtown Ferry Terminal Public Pier Project.

Enacted Number: 321-05

ADOPTED

050715 [Accept-Expend State Grant] Supervisor Peskin

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $400,000 from the California Department

of Transportation for the Downtown Ferry Terminal Public Pier Project.

Enacted Number: 322-05
ADOPTED

050716 [Commending San Francisco Public Utilities Commission] Supervisor Peskin

Resolution commending the San Francisco Public Utilities Commission for its outstanding performance and receiving awards for leadership in wastewater treatment and renewable energy resources.

Enacted Number: 323-05
ADOPTED

050717 [Queen Beatrix] Supervisors Peskin, McGoldrick

Resolution sending warmest regards to Queen Beatrix of the Netherlands.

Enacted Number: 324-05
ADOPTED

050718 [Supporting California Assembly Bill No. 1125: Household Battery Recycling Act] Supervisor Sandoval

Resolution urging the California legislature to pass AB 1125: Household Battery Recycling Act.

Enacted Number: 325-05
ADOPTED

050677 [Apply For State Used Oil Recycling and Household Hazardous Waste Management Grants] Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to apply for annual grants from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.

Enacted Number: 312-05
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Severed From the Without Committee Reference

Supervisor Ammiano requested that this matter be severed so that it might be considered separately.

050703 **[Extending the Arts Task Force to November 1, 2005]** **Supervisor Ammiano**

Resolution establishing an Arts Task Force to make recommendations to the Board of Supervisors and Mayor and setting forth the membership and duties of the Task Force.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Resolution extending the Arts Task Force to November 1, 2005, and extending to August 1, 2005 the date for the Task Force to submit its initial report to the Board of Supervisors.

ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Commendatory Finding. The motion carried by the

following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved **ADOPTION of the Brown Act Finding. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

050737 [Commending Hector Hugo Herrera, Consul General of El Salvador] Supervisor Sandoval

Resolution commending Hector Hugo Herrera, Consul General of El Salvador for his tremendous record service to the Salvadoran American community.

Enacted Number: 326-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

050738 [Commending Erika Pineda Sharron, Consul General of Guatemala] Supervisor Sandoval

Resolution commending Erika Pineda Sharron, Consul General of Guatemala for her tremendous record service to the Guatemalan American community.

Enacted Number: 327-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

050734 **[Appropriate bond sale proceeds from the 1995 Steinhart Aquarium Bond and 2nd series sale of the 2000 Academy Facility Improvement Bond to fund the reconstruction, renovation and other**

Mayor, Supervisors Elsbernd, Sandoval, Ammiano

Ordinance appropriating, and placing on reserve, $29,245,000 of 1995 Steinhart Aquarium (Series - 2005) and $79,370,000 of 2000 Academy of Sciences (2nd Series - 2005) bond sales proceeds, for a total of $108,615,000, to fund the reconstruction, renovation and other construction for California Academy of Sciences in Golden Gate Park for current fiscal year 2004-05.

(Fiscal impact.)

4/26/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050735 **[Appropriate bond sale proceeds from the sale of 2000 Branch Library Improvement Program Bond - 3rd Series to fund the improvement and construction of San Francisco Public Library**

Mayor, Supervisors Sandoval, Ammiano

Ordinance appropriating, and placing on reserve, $35,801,823 of bond sale proceeds from the 2000 Branch Library Improvement Program Bond - 3rd Series to fund the improvement and construction of San Francisco Public Library facilities for current fiscal year 2004-05.

(Fiscal impact.)

4/26/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050736 **[Appropriate General Obligation Bond sale proceeds to fund the acquisition, construction and/or reconstruction of San Francisco Zoo facilities and properties]**

Mayor, Supervisors Elsbernd, Sandoval, Ammiano

Ordinance appropriating, and placing on reserve, $7,505,000 in General Obligation Bond sale proceeds to fund the acquisition, construction and/or reconstruction of San Francisco Zoo facilities, properties and all other works (as part of 1997 Proposition C) for current fiscal year 2004-05.

(Fiscal impact.)

4/26/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050739 **[SLI Zoning District - Allowing Certain Financial Services]**

Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Table 817 to add Section 817.32 allowing a financial service use in an SLI (Service/Light Industrial) Zoning District under certain circumstances; adopting findings.

4/26/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 5/26/2005.

050740 [Fees for Findings of Fact in Assessment Appeals] Supervisor Peskin

Ordinance (1) amending Section 2B.11 of the San Francisco Administrative Code to (a) replace the existing fee schedule for preparation of written findings of fact in assessment appeals with a fee that recovers the costs attributable to the preparation and issuance of findings by the Assessment Appeals Board, (2) making findings relative to the City's costs of preparing written findings of fact in assessment appeals, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the fees for written findings are not a "project" and that such fees are imposed for the purpose of meeting operating expenses, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to the preparation and issuance of such findings.

4/26/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/26/2005.

050741 [Creating a Food Security Task Force] Supervisor Maxwell

Ordinance amending the San Francisco Health Code by adding Sections 470.1 and 470.2, to establish a Food Security Task Force charged with creating a strategic plan to address hunger, enhancing food security, and increasing participation in federally funded programs; requiring preparation of reports and a strategic plan; and including a sunset provision.

4/26/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/26/2005.

050742 [Prohibiting the widening of MLK, Jr. Drive] Supervisor Mirkarimi

Ordinance amending the San Francisco Park Code by amending Section 6.01 to prohibit the widening of Martin Luther King, Jr. Drive and to prohibit the operation of privately-owned automobiles within the Golden Gate Park Music Concourse bowl, with certain exceptions; urging the Department of Parking and Traffic to include pedestrian and bicycle access improvements in its formulation of the Concourse Transportation Management Plan; and, making certain environmental, Proposition J and other findings.

4/26/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 04/29/05 - Referred to Planning for determination of environmental impact and to Parking and Traffic for review. 05/09/05 - Response received from Planning stating that the final environmental impact report for Golden Gate Park Concourse Authority Projects Final EIR was certified onJuly 24, 2003 Case #2001.911E.

050745 [Water Rates] Mayor, Supervisor Ammiano

Ordinance approving revised schedule of rates to be charged by the San

Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco.

(Fiscal impact.) (Supervisor Mirkarimi dissenting in committee.)
4/26/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

050732 **[Steinhart Aquarium General Obligation Bond Issuance]** **Supervisors McGoldrick, Elsbernd, Sandoval**

Resolution providing for the issuance of not to exceed $29,245,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Steinhart Aquarium Improvement Bonds, 1995); authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)
4/26/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050733 **[Bond Sale of Steinhart Aquarium Improvement Bonds]** **Supervisors McGoldrick, Elsbernd, Sandoval**

Resolution authorizing and directing the sale of not to exceed $29,245,000 General Obligation Bonds (Steinhart Aquarium Improvement Bonds, 1995), Series 2005F; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)
4/26/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050743 **[Grant of Federal Funds - MTA]** **Supervisor Ammiano**

Resolution authorizing the Municipal Transportation Agency to accept and expend $744,000 of Federal Building Fund grant funds from the U.S. General Services Administration for the Municipal Railway's Radio System Replacement Project, excluding administrative overhead costs.

4/26/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050744 [Supporting SB 437 and AB 772] Mayor

Resolution supporting Senate Bill 437 and Assembly Bill 772, which would create the California Health Kids Insurance Program and extend all health insurance to low income children in California.

4/26/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050754 [Juror Appreciation Week] Supervisors Dufty, Elsbernd

Resolution declaring May 8 through May 14, 2005, Juror Appreciation Week throughout the City and County of San Francisco.

4/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050755 [Supporting the WorldPride celebration in Jerusalem] Supervisors Dufty, Ammiano, Maxwell, Daly, Mirkarimi, Ma

Resolution supporting the WorldPride celebration in Jerusalem.

4/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050756 [Accept-Expend Grant Awarded to the San Francisco Department of the Environment by the Friends of the Commission on the Status of Women] Supervisor Elsbernd

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of $25,000.00 from the Friends of the Commission on the Status of Women to provide outreach and education about recycling used cell phones.

4/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050757 [Safe Jobs] Supervisor Ma

Resolution recognizing and declaring the month of May 2005 as "Safe Jobs for Youth Month" in the City and County of San Francisco.

4/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050758 [Commending Nick and Sophia Vlahiotis] Supervisors Ma, Dufty

Resolution commending Nick and Sophia Vlahiotis on the 20th Anniversary of Ristorante Capri.

4/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050759 [Supporting AB 452, Double Fine Zone for Moving Violations on 19th Avenue and Park Presidio Boulevard] Supervisors Mirkarimi, Ma, Elsbernd

Resolution urging the California State Assembly and Governor to support Assembly Bill No. 452.

4/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050693 [Temporary Sidewalk Occupancy]

Resolution allowing for occupancy of a portion of the sidewalk on the east side of Fillmore between Chestnut and Bay street from 8:00 A.M. to 3:00 P.M. on every Saturday between May 28, 2005 through October 29, 2005.

4/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

4/26/05, SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute resolution bearing new title.

4/26/05, ASSIGNED to Land Use Committee.

4/26/05, TRANSFERRED to City Operations and Neighborhood Services Committee. Supervisor Alioto-Pier requested that this item be transferred.

Requests for Hearing

050746 [Mayor's 2005 Enterprise Budget Submission] Supervisor Ammiano

Hearing to review the Mayor's Budget Office overview of the Mayor's 2005 Enterprise Budget submission.

4/26/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the May 5, 2005 meeting.

050747 [Progress report on collaborative efforts between SFUSD and relevant City departments to consolidate/reduce spending] Supervisor Ammiano

Hearing requesting staff a progress report on collaborative efforts between

the SFUSD and relevant City departments to consolidate and reduce spending and as well as to consider recommendations from staff.

4/26/05, RECEIVED AND ASSIGNED to City and School District Select Committee.

050748 **[Healthy diet and nutrition for SFUSD students]** Supervisor Ammiano

Hearing to inquire how the City can assist and support SFUSD to devise ways to implement a healthy diet and nutrition for all SFUSD students and to consider obstacles hindering such plans such as local merchants offering junk food alternatives to school cafeteria food and coaches selling food near campuses to take advantage of the ban on junk food.

4/26/05, RECEIVED AND ASSIGNED to City and School District Select Committee.

050749 **[2005 CCSF's Nine-month Report]** Supervisor Ammiano

Hearing to review the 2005 City and County of San Francisco's Nine-month Report.

4/26/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled for consideration at the May 5, 2005 meeting.

050750 **[Performance audit of San Francisco's Health Service System]** Supervisor Peskin

Hearing to discuss the findings of the Controller's Office performance audit of San Francisco's Health Service System.

4/26/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050751 **[Performance audit of the Department of Aging and Adult Services]** Supervisor Peskin

Hearing to discuss the findings of the Controller's Office performance audit of the Department of Aging and Adult Services.

4/26/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050752 **[Peak Oil]** Supervisor Mirkarimi

Hearing to discuss the potential effects of the phenomenon of Peak Oil, which is predicted to produce a permanent spike in the global price of oil, on the planning and policies of San Francisco, and to discuss the modification and creation of planning principles by the Department of the Environment and the Planning Department in order to cope with the phenomenon.

4/26/05, RECEIVED AND ASSIGNED to Government Audit and Oversight

Committee.

050753 [Credit card payments for parking] Supervisor Sandoval

Hearing on the public policy implications of requiring all parking lot operators to accept credit card payments.

4/26/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motion

050731 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

4/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

050573 [Deleting References to Traffic Zone No. 1]

Ordinance repealing San Francisco Traffic Code sections 3.6, 10, 20, 35, 88, and 89, and amending San Francisco Police Code section 1320.10, to delete references to Traffic Zone No. 1. (Parking and Traffic Department)

4/14/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050657 [Settlement of Lawsuit - Nicholas Holley]

Ordinance authorizing settlement of the lawsuit filed by Nicholas Holley against the City and County of San Francisco for the payment of $50,000; the lawsuit was filed on January 23, 2004, in San Francisco Superior Court, Case No. 428-216; entitled Nicholas Holley v. City and County of San Francisco, et al. (City Attorney)

4/18/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

050543 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Faxon Avenue, Elmwood Way and Southwood Drive, making this uncontrolled five-legged intersection an All-Way STOP;
Kansas Street at Vermont/22nd Street, making this uncontrolled intersection an All-Way STOP;
Persia Avenue and London Street, stopping Persia Avenue at London Street making this intersection an All-Way STOP; and,
17th Street and Alabama Street, stopping 17th Street at Alabama Street, making this intersection an all-way STOP. (Parking and Traffic Department)

(4/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2976.)

4/14/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 04/26/05 - Parking and Traffic notified of hearing for posting requirements and advertisement placed in the 05/03/05 edition of the SF Chronicle.

050544 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR PARKING - ESTABLISH
Andover Street, east side, from the southern property line of 717 Andover Street to the northern property line of 779 Andover Street.

NO PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Sheridan Street, south side, between 9th and 10th Streets.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
27th Street, north side, between the driveways of 318 and 322 - 324 27th Street (9 foot zone, accommodating 2 motorcycle parking spaces).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Shotwell Street, east side, in front of 337-339 Shotwell Street (18 foot zone, accommodating 6 motorcycles).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
York Street, east side, between 19th and 20th Streets (700 block); and,
Rhode Island Street, both sides, between 24th and 25th Streets (1300 block).

TOW-AWAY NO STOPPING, 7 AM TO 7 PM, MONDAY THROUGH SATURDAY - RESCIND

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Harrison Street, south side, from Main Street to 35 feet westerly

NO PARKING ANYTIME - ESTABLISH
Main Street, west side, from Harrison Street to 22 feet northerly.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Front Street, east side, from Clay Street to 30 feet southerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Scott Street, east side, from the north crosswalk at Grove Street to 16 feet southerly.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Bush Street, north side, from Mason Street to Kearny Street

NO PARKING ANYTIME - RESCIND
Bush Street, north side, from St. George Alley to Kearny Street (maintaining 7 AM to 9 AM, Tow-Away Lane); and,
Persia Avenue, north side, from London Street to 20 feet westerly (in conjunction with STOP sign changes).

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Bush Street, south side, between Grant Avenue and Kearny Street (Parking and Traffic Department)

(4/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2976.)

4/14/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 04/26/05 - Parking and Traffic notified of hearing for posting requirements and advertisement placed in the 05/03/05 edition of the SF Chronicle.

050580 **[Settlement of Equal Employment Opportunity Commission (EEOC) Claim - Julie Yee]**

Resolution approving settlement of EEOC Charge No. 370A300288, filed by Julie Yee December 18, 2002 against the City and County of San Francisco for $40,642.78. Other material term of said settlement is that Yee shall release all her claims, including a release of any right she may have to file suit based upon the allegations in her EEOC Charge. (City Attorney)

4/18/05, RECEIVED AND ASSIGNED to Rules Committee.

050656 **[Settlement of Claim - Fremont Group Management LP]**

Resolution approving the settlement of the unlitigated Claim for Tax Refund File No. 05-02753 filed by Fremont Group Management LP on February 23, 2005, against the City and County of San Francisco for $97,135.09. (City

Attorney)
4/18/05, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation requiring development impact fees for density bonuses in Rincon Hill and the establishment of a South of Market Area (SOMA) Community Stabilization Fund.

From: Supervisor Dufty

To: Mayor

To: All Commission Presidents

Requesting/Inquiring: In light of recent events at the Building Inspection Commission, Supervisor has suggested that all Commissioners, and particularly Commission Presidents work with Sheriff Hennessey and his staff to ensure that protocol and procedures for public meetings are followed, and that all such meetings are conducted with decorum.

The Sheriff is willing to make available deputies in the instance that commissioners are concerned for safety, and for the respectful conduct of business. We would encourage commissioners to contact Sheriff Hennessey's office at 554-7225 to seek training.

From: Supervisor Ma

To: Controller

Requesting/Inquiring: To analyze cost increases of the 10 largest non-profit agencies contracting with the Department of Public Health and the Department of Human Services, to determine their fixed cost increases over the past four years, such as workers' comp, retirement and health benefits, rent and lease expense; and to provide a report to the Budget Committee in time to be considered during the budget hearings.

From: Supervisor Maxwell

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To conduct traffic studies at the intersection of Sawyer and Visitacion in Visitacion Valley and return with recommendations about improving pedestrian safety at this intersection. Many drivers turn on to Sawyer from Geneva and use it as a thoroughfare to travel into the Valley. Although there are four way stop signs at this intersection, it is often ignored by drivers and many of the

In Memoriams

Betty Lee Coriarty (Supervisor Dufty)

Kevin Waldron (Supervisor Dufty)

Jimmy Wong (Supervisor Ma)

Barbara Dunn (Supervisor Mirkarimi)

Jerri Jackson (Supervisor Mirkarimi)

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:16 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 24, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
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翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

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The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or

administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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MEETING MINUTES

Tuesday, May 3, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo*

Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

Quorum present.

Supervisor Alioto-Pier was noted present at 2:15 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve the April 5, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Subcommittee

050530 **[Accept-Expend Bequest of Harvey V. Berneking Living Trust]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to retroactively accept and expend a gift in the amount of $100,000 from the HARVEY V. BERNEKING Living Trust for improvements to the Main Library. (Public Library)

Enacted Number: 328-05

ADOPTED

050569 [Contract Prop J: Facility Security Services]

Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Municipal Transportation Agency)

Enacted Number: 329-05

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

050415 [Establishing a tour bus restriction on Baker Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.35 to establish a tour bus restriction on Baker Street between Richardson Avenue and Union Street. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

Enacted Number: 79-05

FINALLY PASSED

050420 [Establishing a tour bus restriction on Broderick Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.36 to establish a tour bus restriction on Broderick Street between Richardson Avenue and Union Street. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

Enacted Number: 81-05

FINALLY PASSED

050421 [Establishing a tour bus restriction on Chestnut Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.32 to establish a tour bus restriction on Chestnut Street between Lyon Street and Richardson Avenue. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

Enacted Number: 82-05

FINALLY PASSED

050478 [Establishing a tour bus restriction on Greenwich Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.33 to establish a tour bus restriction on Greenwich Street between Lyon and Divisadero Streets. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

Enacted Number: 83-05

FINALLY PASSED

050479 [Establishing a tour bus restriction on Filbert Street]

Ordinance amending the San Francisco Police Code by adding Section 1183.34 to establish a tour bus restriction on Filbert Street between Lyon and Divisadero Streets. (Parking and Traffic Department)

(3/14/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2975.)

Enacted Number: 84-05

FINALLY PASSED

050525 [Establishing commercial vehicle weight restrictions on Broderick Street]

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.58 to establish a commercial weight restriction on Broderick Street between Richardson Avenue and Union Street. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

Enacted Number: 85-05

FINALLY PASSED

050526 [Extending commercial vehicle weight restrictions on Chestnut Street]

Ordinance amending the San Francisco Traffic Code by amending Section 28.5.9 to extend the commercial vehicle weight restriction on Chestnut Street to include Chestnut Street between Lyon and Broderick Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

Enacted Number: 86-05

FINALLY PASSED

050527 [Establishing commercial vehicle weight restrictions on Greenwich Street]

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.57 to establish a commercial vehicle weight restriction on Greenwich Street between Divisadero and Lyon Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

Enacted Number: 87-05

FINALLY PASSED

050528 [Establishing commercial vehicle weight restrictions on Filbert Street]

Ordinance amending the San Francisco Traffic Code by adding Section 28.5.59 to establish a commercial weight restriction on Filbert Street between Divisadero and Lyon Streets. (Parking and Traffic Department)

(3-14-05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2974.)

Enacted Number: 88-05

FINALLY PASSED

050529 [Extending commercial vehicle weight restrictions on Baker Street]

Ordinance amending the San Francisco Traffic Code by amending Section 28.5.3, establishing a commercial vehicle weight restriction on Baker Street, by extending the restriction to include Baker Street between Union Street and Marina Boulevard. (Parking and Traffic Department)

(DPT Order No. 2974.)

Enacted Number: 89-05

FINALLY PASSED

Consent Agenda was passed by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1- Alioto-Pier

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to rescind the previous vote.

Motion to rescind was passed without objection.

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Consent Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

050431 **[To re-appropriate bond sales proceeds from 3 capital projects, funded by General Obligation Bonds; and to re-appropriate the bond sales proceeds from 11 projects, funded by Lease Revenue** Mayor, Supervisors McGoldrick, Elsbernd

Ordinance re-appropriating $15,964,440 from 3 large capital projects within the 2000 Neighborhood Recreation and Park Facilities Improvement General Obligation Bond to fund the improvement and construction of parks and open space for 11 neighborhood park projects within the Lease Revenue Bond Capital Program. Projects include Rossi Playground, Fay Park Garden, SOMA Park, Junipero Serra Playground/Clubhouse, Sunnyside Playground/Clubhouse, Sunnyside Conservatory, Rolph Park Clubhouse, Herz Playground/Coffman Pool, Visitacion Greenway Senior Park, Moscone Recreation Center and St. Mary's Playground; and

Re-appropriating $15,964,440 from 11 various projects within the Lease Revenue Bond Capital Program to fund the improvement and construction of parks and open space for 3 large capital projects within the 2000 Neighborhood Recreation and Park Facilities Improvement General Obligation Bond program; Moscone Recreation Center - Phase I, Chinese Recreation Center and Larsen Sava Pool.

(Fiscal impact.)

Enacted Number: 80-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

NEW BUSINESS

Recommendation of the Government Audit and Oversight Committee

050679 **[Audit Priorities]** Supervisors Peskin,

Elsbernd

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: M05-67

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Daly, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Mirkarimi welcomed, introduced and presented a Certificate of Honor to a representative of the Hamilton Family center in recognition of Mother's Day.

SPECIAL ORDER 4:00 P.M.

050574 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review (Variance Decision) for 1400-1402 Cole Street]**

Hearing of persons interested in or objecting to the variance decision of the Planning Department dated December 6, 2004 (Case No. 2003.0639V), exempting from environmental review under CEQA Guidelines, the proposal to add a third floor addition, to include a second dwelling unit to a two-story mixed-use (dwelling unit over commercial) structure (Adel's Wine Cellar), and to legalize and enlarge an addition at the rear of the building, creating a roof deck and access stair in the required rear yard. The existing structure, detached garage, and rear yard deck are considered noncomplying with respect to the Planning Code, as they are located in the required rear yard.

The project is located at 1400-1402 Cole Street, southeast corner of the intersection of Cole and 17th Streets; Lot 023 in Assessor's Block 1291 within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. (Appellants: Dr. Dennis L. Hamby, and Mrs. Carol Hamby)

(Filed April 5, 2005; companion measure to Files 050575, 050576, 050577: District 5.)

The President inquired as to whether members of the public wished to address the Board.

Representatives of the project sponsor informed the Board they were aware of the withdrawal of the appeal but were available if needed.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review (variance decision) described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

050575 [Affirming the categorical exemption issued for 1400-1402 Cole Street]

Motion affirming the determination by the Planning Department that the 1400-1402 Cole Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050576 [Disapproving the categorical exemption issued for 1400-1402 Cole Street]

Motion disapproving the determination by the Planning Department that the 1400-1402 Cole Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050577 **[Preparation of findings related to the categorical exemption issued for 1400-1402 Cole Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1400-1402 Cole Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

050710 **[Appointment - Police Commission]**

Motion confirming the Rules Committee's nomination of, and appointing, Gayle Orr-Smith to the San Francisco Police Commission for a term of office commencing on April 30, 2005 at noon, term ending April 30, 2009 at noon.

Gayle Orr-Smith, succeeding herself, term expiring April 30, 2005 at noon, seat 3, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for a four-year term ending April 30, 2009 at noon. (Supervisor Mirkarimi dissenting in Committee)

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to amend by replacing the nomination of "Gayle Orr-Smith" with "Kim-Shree Maufus".

Motion to amend failed by the following vote:

Ayes: 4 - Ammiano, Daly, Mirkarimi, Sandoval

Noes 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin

Enacted Number: M05-63

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

050695 **[Adoption of Board of Supervisors' 2005 Budget Process and Policy Priorities]** **Supervisors Ammiano, Daly, Elsbernd, McGoldrick, Ma, Mirkarimi**

Resolution adopting the San Francisco Board of Supervisors' 2005 Budget

Process and Policy Priorities.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to amend the list of budget priorities to include funding for Public Health Nurses, Senior Medical Social Workers and a Health Care Billing Clerk to the Department of Public Health.

Motion to amend the list of budget priorities was passed without objection.

Supervisors Daly, Elsbernd, and Mirkarimi requested to be added as co-sponsors.

Enacted Number: 337-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Alicia Schwartz, POWER; expressed concerns regarding lack of notification to Bayview Hunters Point residents of grants available to pay costs for underground wiring

Eddie Mary Gibson; expressed concerns regarding underground wiring costs charged to residents

Kevin Williams; expressed concerns regarding costs charged with threats to place lien on his property

Nora Calderon; expressed concerns regarding underground wiring costs

Oliveia Castillo; expressed concerns regarding underground wiring costs

Andre Rucker; expressed concerns regarding less fortunate residents of S. F.

Ashia Shareiff; expressed concerns regarding the treatment of residents in Bayview Hunters Point

Jessie Tello; expressed concerns regarding treatment of residents in Bayview Hunters Point

Marjorie Turner; wants refund of money paid for underground wiring.

James Chaffe; expressed concerns regarding privatization issues

Female speaker; questioning how the underground wiring cost for Bayview Hunters Point residents was approved

Male speaker; recognized and remembered his mother who was a City employee

Eugene Gordon, Jr.; read views on life

Bruce Allison; thanked the Board for his award, and expressed concerns regarding the closure of Men's Place

John DiDonna; expressed views regarding free speech

Male speaker; asking the Supervisors to support Supervisor Maxwell in helping the residents with underground wiring grants

Joe Collins; expressed concern regarding jobs going to out-of-state workers rather than to S. F. residents

Judy, Mission Hiring Hall; expressed concerns regarding City hiring laws not being upheld

Peter Warfield; expressed concern regarding radio frequency identification at the Library

Ginger Dawn Dungan, expressed concern regarding safety issues in homeless shelters

Bill Jones; thanked the Board for listening to residents'

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

050754 [Juror Appreciation Week] **Supervisors Dufty, Elsbernd**

Resolution declaring May 8 through May 14, 2005, Juror Appreciation Week throughout the City and County of San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 330-05

ADOPTED

050755 **[Supporting the WorldPride celebration in Jerusalem]** Supervisors Dufty, Ammiano, Maxwell, Daly, Mirkarimi, Ma

Resolution supporting the WorldPride celebration in Jerusalem.

Enacted Number: 331-05

ADOPTED

050756 **[Accept-Expend Grant Awarded to the San Francisco Department of the Environment by the Friends of the Commission on the Status of Women]** Supervisor Elsbernd

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of $25,000.00 from the Friends of the Commission on the Status of Women to provide outreach and education about recycling used cell phones.

Enacted Number: 332-05

ADOPTED

050757 **[Safe Jobs]** Supervisor Ma

Resolution recognizing and declaring the month of May 2005 as "Safe Jobs for Youth Month" in the City and County of San Francisco.

Enacted Number: 333-05

ADOPTED

050758 **[Commending Nick and Sophia Vlahiotis]** Supervisors Ma, Dufty

Resolution commending Nick and Sophia Vlahiotis on the 20th Anniversary of Ristorante Capri.

Enacted Number: 334-05

ADOPTED

050722 **[Final Map for a 23 Unit Commercial/Residential Condominium Project - 515-521-525 Gough Street]**

Motion approving Final Map of 515-521-525 Gough Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 77 in Assessor's Block No. 793, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPw Order No. 175,326; District 6.)

Enacted Number: M05-64
APPROVED

050723 **[Final Map for a 6 Lot Merger and 5 Lot Re-subdivision Project - 830 Lake Street]**

Motion approving Final Map of 830 Lake Street, A 6 Lot Merger and 5 Lot Re-subdivision Project, being a re-subdivision of Lots 7, 8, 9, 10, 11 and 12 in Assessor's Block No. 1349, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPw Order No. 175,337; District 1.)

Enacted Number: M05-65
APPROVED

050731 **[Needle Exchange Emergency]** **Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-66
APPROVED

Severed from Without Committee Reference

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050759 **[Supporting AB 452, Double Fine Zone for Moving Violations on 19th Avenue and Park Presidio Boulevard]** **Supervisors Mirkarimi, Ma, Elsbernd**

Resolution urging the California State Assembly and Governor to support Assembly Bill No. 452.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved an

amendment of the whole and further amended by Supervisor McGoldrick.

AMENDED.

Supervisor Elsbernd requested to be added as a co-sponsor.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050779 **[Commending Teachers and School Workers in S.F. Unified School District]** Supervisors Daly, Ammiano, Elsbernd, Mirkarimi, Ma

Resolution commending the San Francisco Unified School District teachers and workers for their labor to educate and serve San Francisco's future leaders.

Enacted Number: 336-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,

McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

050771 **[Annual Appropriation Ordinance for Selected Departments, as of May 1, 2005, Fiscal Year 2005-2006]** — Mayor

Ordinance appropriating all estimated receipts and all estimated expenditures for selected Departments of the City and County of San Francisco as of May 1, 2005 for the fiscal year ending June 30, 2006.

(Fiscal impact; Appropriation for the following selected departments: Airport, Municipal Transportation Agency, Port, Public Utilities Commission, Retirement System, Rent Arbitration Board.)

5/3/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050780 **[Proposed Annual Salary Ordinance for the Selected Departments, as of May 1, 2005, Fiscal Year 2005-2006]** — Mayor

Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for selected Departments of the City and County of San Francisco as of May 1, 2005, for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

5/3/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050773 **[Zoning - 6 Month Extension of Interim Moratorium on Medical Cannabis Dispensaries]** — Supervisor Mirkarimi

Urgency ordinance approving a 60 day extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and

making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

5/3/05, ASSIGNED to Board of Supervisors.

050784 **[Establishing a Small Local Business Enterprise Program; Prohibiting Discrimination in Contracting and Subcontracting]** Supervisor Ma

Draft Ordinance amending the San Francisco Administrative Code by adding Chapter 14B to establish a Small and Micro Local Business Enterprise Program, prohibit discrimination in City contracting, and suspend Chapter 12D.A.

5/3/05, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

050785 **[STOP Intersections - Octavia Frontage Road]** Supervisor Mirkarimi

Resolution designating certain intersections as "STOP" Intersections.

STOP signs - ESTABLISH
Octavia Frontage Road and Haight Street, stopping Octavia Frontage Road, at Haight Street
Octavia Frontage Road and Page Street, stopping Octavia Frontage Road, at Page Street
Octavia Frontage Road and Oak Street, stopping Octavia Frontage Road, at Oak Street
Octavia Frontage Road and Fell Street, stopping Octavia Frontage Road, at Fell Street

(5/2/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

5/3/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 05/23/05 - Parking and Traffic notified to post notices and ad place in the 05/28/05 edition of the SF Chronicle.

050786 **[Allocation of McKinney-Vento Funds]** Supervisor Daly

Resolution urging the City to keep an open dialogue with the homeless community to ensure effective decision making and to comply with requests made by the McKinney Subcontractors for the allocation and oversight of the McKinney-Vento Targeted Homeless Assistance Grant funding.

5/3/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050787 [Drinking Water Week] Supervisor Ma

Resolution recognizing May 1-7, 2005 as "Drinking Water Week" in the City and County of San Francisco.

5/3/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050788 [Commending Homeless Mothers in San Francisco] Supervisor Mirkarimi

Resolution commending the homeless mothers who are struggling to raise families in San Francisco in the midst of a housing crisis.

5/3/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050789 [Public Works Week] Supervisors Peskin, Ma

Resolution declaring May 16 through 20, 2005, as Public Works Week.

5/3/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050790 [Honoring Bay Area Holocaust Survivors] Supervisors Sandoval, Peskin, Dufty, Ma, Elsbernd

Resolution honoring Bay Area Holocaust Survivors on the 60th Anniversary of their liberation, and commending them for their contributions to the San Francisco and Bay Area community.

5/3/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050791 [Nova Knits Inc.] Supervisors McGoldrick, Peskin, Maxwell, Sandoval, Mirkarimi, Ammiano, Daly

Resolution urging Nova Knits Inc. to comply with the Worker Adjustment and Retraining Notification (WARN) Act and the legitimate requests of its laid off workers and to ensure that its laid off workers are able to access transitional employment benefits through Unemployment Insurance, the Workforce Investment Act (WIA) and the Trade Adjustment Assistance Act (TAA).

5/3/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050772 [California's Day of the Teacher] Supervisors Ammiano, Daly, Mirkarimi, Ma,

Elsbernd

Resolution declaring May 11, 2005 as California's Day of the Teacher in the City and County of San Francisco.

5/3/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

050770 [Hearing - Redevelopment Plan for the Transbay Redevelopment Project Area]

Hearing to consider possible adoption of an Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance. (Clerk of the Board)

5/3/05, ASSIGNED to Board of Supervisors. Pursuant to File 050615, Board to sit as a Committee of the Whole May 10, 2005, at 4:00 p.m.

050776 [Hearing - 6 Month Extension of Interim Moratorium on Medical Canabis Dispensaries]

Hearing to consider the possible adoption of an urgency ordinance approving a 6 month extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings. (Clerk of the Board)

5/3/05, ASSIGNED to Board of Supervisors. Pursuant to File 050775, Board to sit as a Committee of the Whole May 10, 2005, at 5:00 p.m.

050777 [Feasibility of the inclusion of the televised broadcast of the S.F. Board of Education meetings] Supervisor Ammiano

Hearing to inquire into the feasibility of the inclusion of the televised broadcast of the San Francisco Board of Education meetings as part of SFGTV's regular broadcast schedule.

5/3/05, RECEIVED AND ASSIGNED to City and School District Select Committee.

050778 [Limited English speaking persons using the Residential Rent Stabilization and Arbitration Board's services] Supervisor Ma

Hearing to review and discuss the number of limited English speaking persons using the Residential Rent Stabilization and Arbitration Board's services overall and the effectiveness of these services.

5/3/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050781 [PUC's Hetch Hetchy Capital Improvement Contract] Supervisor McGoldrick

Hearing to discuss the RFP process, the contract terms and the scope of work covered in the Public Utilities Commission's (PUC) contract award to Parsons and CH2M Hill for the PUC's Hetch Hetchy capital improvement projects.

5/3/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050782 [Adolescent Working Group Report on the Health Needs of 19-24 Year Olds.] Supervisor Daly

Hearing regarding the Adolescent Working Group's Report on the health needs of 19-24 year olds.

5/3/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050783 [Underground Utilities Program] Supervisor Maxwell

Hearing on the City's Underground Utilities Program, specifically on the program's assistance for low-income homeowners.

5/3/05, RECEIVED AND ASSIGNED to Land Use Committee.

050792 [Annual Budget, FY 2005-2006]

Hearing to consider the Mayor's proposed budget for selected departments for fiscal year 2005-2006. (Clerk of the Board)

5/3/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050793 [Budget Hearing and Review, FY 2005-06]

Hearing to consider the Annual Budget for the Municipal Transportation Agency for fiscal year 2005-2006. (Clerk of the Board)

5/3/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050794 **[Budget Hearing and Review, FY 2005-06]**

Hearing to consider the Annual Budget for the Port, Retirement System, and Rent Arbitration Board for fiscal year 2005-2006. (Clerk of the Board)

5/3/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050795 **[Budget Hearing and Review, FY 2005-06]**

Hearing to consider the Annual Budget for the Airport and Public Utilities Commission for fiscal year 2005-2006. (Clerk of the Board)

5/3/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050796 **[Budget Hearing and Review, FY 2005-06]**

Hearing to consider the Annual Budget for the Port, Retirement System, Rent Arbitration Board, Airport, and Public Utilities Commission for fiscal year 2005-2006. (Clerk of the Board)

5/3/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

050774 **[Report for Interim Moratorium on Clubs or Dispensaries Where Marijuana is Grown, Purchased or Distributed With a Medical Recommendation]** Supervisor Mirkarimi

Motion issuing the Planning Department's report concerning the Board's urgency Ordinance that imposed a 45-day interim moratorium on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation.

5/3/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050775 **[Committee of the Whole - May 10, 2005, at 5:00 p.m.]** Supervisor Mirkarimi

Motion for the Board of Supervisors to convene as a committee of the whole on May 10, 2005, at 5:00 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance extending an interim zoning moratorium throughout the City for 60 days on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

5/3/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

050724 [Zoning Map Amendment in connection with the Alabama and 18th Streets Affordable Housing Special Use District]

Ordinance amending the Sectional Zoning Map No. 7SU of the San Francisco Planning Code to incorporate the Alabama and 18th Streets Affordable Housing Special Use District as being applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings. (Planning Department)

4/25/05, RECEIVED AND ASSIGNED to Land Use Committee. 4/28/05, President Peskin waived the 30-day Rule.

050725 [Alabama and 18th Streets Affordable Housing Special Use District]

Ordinance amending the San Francisco Planning Code by adding Section 249.27 to create the Alabama and 18th Streets Affordable Housing Special Use District applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings. (Planning Department)

4/25/05, RECEIVED AND ASSIGNED to Land Use Committee. 4/28/05, President Peskin waived the 30-day Rule.

050726 [Settlement of Claims - Pacific Gas & Electric Company]

Ordinance approving the settlement of telephone users tax refund claim asserted by Pacific Gas & Electric Company against the City and County of San Francisco in a claim for refund, then in Pacific Gas & Electric Company v. City and County of San Francisco, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM and Adv. No 04-3071 DM. (City Attorney)

4/25/05, RECEIVED AND ASSIGNED to Rules Committee.

050727 [Amending the Building Code Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3.]

Ordinance amending Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3 of the Building Code to allow land surveyors to prepare submittal documents; to prohibit use or occupancy of structures until a certificate of final completion and occupancy or other approval by the Department of Building Inspection has been issued; to remove the definition of building height; to regulate the depth of structural projections; to delete requirements for exterior backings constructed of solid wood and plywood; to allow for

approved alternate locations for storm or casual water drains; to remove requirement that solid wood or plywood wall sheathing used as backing for plaster be pressure-treated, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

4/25/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/2/2005.

050728 [Amending the Housing Code regarding mechanical ventilation of bathrooms]

Ordinance amending Section 504 of the Housing Code to modify requirements for mechanical ventilation of bathrooms and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

4/25/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/2/2005.

050729 [Amending the Plumbing Code regarding storm water drain locations and grease traps]

Ordinance amending Section 306.2 and Section 1014.1 of the Plumbing Code to allow for alternate locations for rain water drains; to modify the requirements for grease traps; and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

4/25/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/2/2005.

PROPOSED RESOLUTIONS

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the pothole in front of 436 Fell Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the repair of the empty sidewalk squares at 566 Haight Street.

From: Supervisor Mirkarimi

To: Director, Department of Children, Youth and Their Families

To: Superintendent, Unified School District

Requesting/Inquiring: Given the recent decision to close Golden Gate Academy, DeAvilia, and Ben Franklin Middle School (and Beacon Center), to report on the department's efforts to transition the loss of services formerly provided by aforementioned institutions to District 5 residents?

Based on summer school and after-school needs in District 5, how will these lost or re-allocated funds and/or services be augmented in District 5? Are there Proposition 39 opportunities for retaining certain services such as Beacon? What planning efforts are being made to ensure no disruption in services once this Beacon Center closes? What planning efforts are being made to enhance summer school and recreation-related activities for students who reside in high crime jurisdictions?

Provide budget information pertaining to the last three fiscal years and the projected funding allocations for FY 2005-2006.

From: Supervisor Mirkarimi

To: Director, Department of Human Services

Requesting/Inquiring: To report on the delineated breakdown of the total dollar amount of grants and other funds awarded to child care service providers located in and/or serving the population of District 5. Provide this information for the last three fiscal years and the projected funding allocations for FY 2005-2006.

From: Supervisor Mirkarimi

To:

In Memoriams

Luis Cervantes (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:13 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 24, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, May 10, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

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Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris*

Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Daly and Dufty were noted absent.

Quorum present.

Supervisor Dufty was noted present at 2:05 p.m.

Supervisor Daly was noted present at 2:06 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve the April 12, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Dufty

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

050553 [Subcontract agreement funds for a chronic hepatitis electronic registry system] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a subcontract agreement in the amount of $108,944 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund a chronic hepatitis electronic registry system; for the period of December 30, 2004, through December 29, 2005.

Enacted Number: 339-05

ADOPTED

050642 [Contract funds to evaluate the integration of buprenorphine treatment into the SFGH AIDS Program, Year 1] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS), to enter retroactively into the first year of an agreement with the University of California San Francisco (UCSF), the primary contractor, and expend funds in the amount of $52,190 to provide local and multi-site evaluation of the integration of buprenorphine treatment into the SFGH AIDS Program; for the period of September 1, 2004 to August 31, 2005.

Enacted Number: 341-05

ADOPTED

Recommendations of the Rules Committee

050548 [Settlement of Lawsuit - ARCO et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against The Hertz Corporation and BP/Atlantic Richfield, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).

PASSED, ON FIRST READING

050567 [Settlement of Lawsuit - Tamyra D'Ippolito]

Ordinance authorizing settlement of the lawsuit filed by Tamyra D'Ippolito

against the City and County of San Francisco for $35,000; the lawsuit was filed on July 23, 2001 in San Francisco Superior Court, Case No. 323-130; entitled Tamyra D'Ippolito, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

050568 **[Settlement of Lawsuit - Bryan Ketron]**

Ordinance authorizing settlement of the lawsuit filed by Bryan Ketron against the City and County of San Francisco for $57,500 and the lawsuit filed by Alisa Vincent against the City and County of San Francisco for $25,000; the cases have been consolidated under Bryan Ketron v. City and County of San Francisco, et al., Superior Court , Case No. 414-357. The Ketron lawsuit was filed on November 4, 2002 in Superior Court, Case No. 414-357 the Vincent lawsuit was filed on March 21, 2003 in Superior Court, Case No. 418-577. (City Attorney)

PASSED, ON FIRST READING

050571 **[Settlement of Lawsuit - Teri Smith]**

Ordinance authorizing settlement of the lawsuit filed by Teri Smith against the City and County of San Francisco for an agreement to spend an amount not to exceed $1,100,000.00 to make certain disability access improvements at the San Francisco Zoo; the lawsuit was filed on June 19, 2002 in US District Court (Case No C02-2936 PJH).

PASSED, ON FIRST READING

050582 **[Settlement of Lawsuit - Pacific Gas and Electric Company]**

Ordinance approving settlement of litigation by Pacific Gas and Electric Company against City and County of San Francisco for $3,000.

PASSED, ON FIRST READING

050657 **[Settlement of Lawsuit - Nicholas Holley]**

Ordinance authorizing settlement of the lawsuit filed by Nicholas Holley against the City and County of San Francisco for the payment of $50,000; the lawsuit was filed on January 23, 2004, in San Francisco Superior Court, Case No. 428-216; entitled Nicholas Holley v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

050656 **[Settlement of Claim - Fremont Group Management LP]**

Resolution approving the settlement of the unlitigated Claim for Tax Refund File No. 05-02753 filed by Fremont Group Management LP on February 23, 2005, against the City and County of San Francisco for $97,135.09. (City Attorney)

Enacted Number: 342-05

ADOPTED

050580 **[Settlement of Equal Employment Opportunity Commission (EEOC) Claim - Julie Yee]**

Resolution approving settlement of EEOC Charge No. 370A300288, filed by Julie Yee December 18, 2002 against the City and County of San Francisco for $40,642.78. Other material term of said settlement is that Yee shall release all her claims, including a release of any right she may have to file suit based upon the allegations in her EEOC Charge. (City Attorney)

Enacted Number: 340-05

ADOPTED

050706 **[Appointment - Bicycle Advisory Committee]**

Resolution appointing Susan King and Hitesh Soneji, terms ending November 19, 2006, to the Bicycle Advisory Committee.

Susan King, succeeding Bridget May, term expired, seat 5, must be a nominee of District 5 Supervisor. The member must serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2006. Hitesh Soneji, succeeding Dale Butler, term expired, seat 6, must be a nominee of District 6 Supervisor. The member must serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2006.

Enacted Number: 345-05

ADOPTED

050707 **[Appointment - Back Streets Business Advisory Board]**

Resolution appointing Louis Guidry, Jr., term ending November 16, 2006, to the Back Streets Business Advisory Board.

Louis Guidry, Jr., new appointment, seat 2, must be a current or former

owner, operator, or officer of a medium PDR Back Streets business located in San Francisco, for the unexpired portion of a term ending November 16, 2006.

Enacted Number: 346-05
ADOPTED

050766 **[Appointment - Back Streets Business Advisory Board]**
Resolution appointing Robert Legallet, term ending November 16, 2006, to the Back Streets Business Advisory Board; residency requirement waived.

Robert Legallet (residency requirement waived), new appointment, seat 1, must be a current or former owner, operator, or officer of a light PDR Back Streets business located in San Francisco, for the unexpired portion of a two-year term ending November 16, 2006.

Enacted Number: 347-05
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

REGULAR AGENDA

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Ammiano assumed the Chair so

the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

050655 **[Condemning Homophobia and Misogyny]** Supervisor Peskin

Resolution condemning homophobic and misogynistic public remarks by the Executive Director and certain members of the Residential Builders Association of San Francisco and urging that all City meetings be conducted with respect and decorum.

Enacted Number: 375-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050675 **[Allocation of Mental Health Services Act Funds]** Supervisors Maxwell, Ammiano, Daly, Mirkarimi, Ma

Resolution establishing mental health services for San Franciscans exposed to gun and gang violence and for youth in the juvenile justice system as policy priorities in the Board of Supervisors' review of the City's submission to the State for Mental Health Services Act funds.

Enacted Number: 378-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

041570 **[Conflict of Interest Code Amendments]** Supervisor Daly

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-205, 3.1-218, 3.1-230, 3.1-245, 3.1-265, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-315, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-410, 3.1-420, 3.1-430, 3.1-435, and 3.1-440; deleting sections 3.1-255 and 3.1-268; and adding section 3.1-222 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories.

4/27/05 Amendment of the Whole bearing same title.

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050434 [Establishing Graffiti Violation Rewards and Clarifying Uses of Littering and Nuisance Reward Fund Monies] Supervisor Ma

Ordinance amending the San Francisco Administrative Code by amending Section 10.100-234, the Public Works Littering and Nuisance Violation Reward Fund, to reward persons who have provided information leading to the arrest and conviction of persons under California Penal Code Sec. 594 for graffiti vandalism and to clarify uses of fund where a reward is inapplicable or unclaimed.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

050643 [Extension of San Francisco Museum and Historical Society Advisory Committee's operations for one year] Supervisor Peskin

Ordinance amending Section 2A.166 of the San Francisco Administrative Code in order to extend the operations of the San Francisco Museum and Historical Society Advisory Committee for one year, until June 1, 2006.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Mirkarimi Excused From Voting

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Mirkarimi from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Mirkarimi

050767 [Appointment - Children and Families First Commission]

Resolution appointing Supervisor Ross Mirkarimi, term indefinite, to the Children and Families First Commission.

Supervisor Ross Mirkarimi, succeeding Supervisor Chris Daly, resigned, seat 3, must be a member of the Board of Supervisors, for an indefinite term.

(Supervisor Mirkarimi excused from voting)

Enacted Number: 348-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Mirkarimi

Recommendations of the Land Use Committee

050181 [General Plan amendments in connection with the Transbay Redevelopment Plan] Mayor, Supervisor Daly

Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

(Companion measure to Files 050181, 050182, 050183, and 050184.)

Continued to June 14, 2005

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050182 [Zoning - Planning Code amendments in connection with the Transbay Redevelopment Plan] Mayor, Supervisor Daly

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Continued to June 14, 2005

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan] Mayor, Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Continued to June 14, 2005

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Ma, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to Michelle Byrnes, Director of Honoring Emancipated Youth" (HAY).

Supervisor Ma introduced, welcomed and presented a Certificate of Honor to the Principal of Lawton Alternative School and members of the Muarl Project.

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Nancy DeStefanis.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

050770 **[Hearing - Redevelopment Plan for the Transbay Redevelopment Project Area]**

Hearing to consider possible adoption of an Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance. (Clerk of the Board)

President inquired as to whether or not any member of the public wished to address the Board.

Roger Random; opposed the Redevelopment Plan

Continued to June 14, 2005

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this **Hearing be CONTINUED. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Committee of the Whole Adjourn and Report Without Recommendation

From the Budget and Finance Subcommittee and Committee of the Whole

050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project] Mayor, Supervisor Daly

Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance.

(Fiscal impact.)

Continued to June 14, 2005

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 4:24 p.m.

Reconvening of the Board

The Board at the hour of 4:30 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval - 11

Quorum present.

SPECIAL ORDER 4:30 P.M.

Board of Supervisors Sitting as a Committee

of the Whole

Supervisor Maxwell noted absent at 4:39 p.m.

050670 **[Hearing - Ground Lease of Redevelopment Agency Land for 10th and Mission Family Housing]**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lots 26 and 27, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to Mercy Housing California XIV, L.P., a California Limited Partnership, for 65 years for the purpose of developing housing for very low income family households, including formerly chronically homeless households. (Clerk of the Board)

President inquired as to whether or not any member of the public wished to address the Board.

Olson Lee, Executive Deputy Director, Redevelopment Agency, reviewed the projects with the Board members.

Representative from Mercy Housing California, Project Developer

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

050671 **[Ground Lease of Redevelopment Agency Land for 10th and Mission Family Housing]** Mayor

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lots 26 and 27, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to Mercy Housing California XIV, L.P., a California Limited Partnership, for 65 years for the purpose of developing housing for very low income family households, including formerly chronically homeless households.

(Fiscal impact.)

Enacted Number: 343-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

Board of Supervisors Sitting as a Committee of the Whole

050672 **[Hearing - Ground Lease of Redevelopment Agency Land for 9th and Jessie Senior Housing]**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lot 51, commonly known as 9th and Jessie Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to MERCY HOUSING CALIFORNIA, a California nonprofit public benefit corporation, for 55 years for the purpose of developing housing for very low income senior households. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Olson Lee, Executive Deputy Director, Redevelopment Agency, reviewed the projects with the Board members.

Representative from Mercy Housing California, Project Developer

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

050673 **[Ground Lease of Redevelopment Agency Land for 9th and Jessie Senior Housing]** Mayor, Supervisor Daly

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lot 51, commonly known as 10th and Mission Streets, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to MERCY HOUSING CALIFORNIA, a California nonprofit public benefit corporation, for 55 years for the purpose of developing housing for very low income senior

households.

(Fiscal impact.)

Amended on page 1, line 4, by replacing "10th Street" with "9th Street"; and on line 13, by replacing" 10th and Mission Streets" with "9th Street and Jessie Streets."

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this **Resolution be AMENDED. The** motion **carried by the** following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3508, Lot 51, commonly known as 9th Street and Jessie Street, San Francisco, California (the "Site") in the Mid-Market Redevelopment Survey Area, to MERCY HOUSING CALIFORNIA, a California nonprofit public benefit corporation, for 55 years for the purpose of developing housing for very low income senior households.

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

Recess

The Board recessed at the hour of 4:40 p.m.

Reconvening of the Board

The Board at the hour of 5:02 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma,

Maxwell, McGoldrick, Mirkarimi, Peskin, - 9

Supervisor Daly noted present at 5:04 p.m.

Quorum present.

SPECIAL ORDER 5:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

050776 **[Hearing - 6 Month Extension of Interim Moratorium on Medical Canabis Dispensaries]**

Hearing to consider the possible adoption of an urgency ordinance approving a 6 month extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Larry Badiner, Planning Department reviewed the implementation of this legislation with the Board members.

Arthur Evans; opposed to the proposed legislation

Bill Cansini; West of Twin Peaks Council, requested reclassification of areas for Medical Cannabis Dispensary distribution

Roger Random; opposed to the proposed legislation

Male Speaker; showed interest in the proposed legislation

Marilyn Amini; expressed concern regarding the classification and designations

Continued to May 17, 2005

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

Supervisor Sandoval noted absent at 5:02 p.m.

050773 **[Zoning - 6 Month Extension of Interim Moratorium on Medical Cannabis Dispensaries]** Supervisor Mirkarimi

Urgency ordinance approving a 60 day extension of the interim zoning

moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved an amendment of the whole.

The motion to amend was carried without objection.

Supervisor McGoldrick, seconded by Alioto-Pier, moved to amend on page 1, line 3, by replacing "60 days extension" to "6 month extension"; and on page 6, line 2, by replacing "40 days" with "160 days"; on line 6, by replacing "50 days with "170 days."

The motion to amend was carried without objection.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to amend on page 5, line 5, by adding "provided that nothing in this ordinance shall be construed to allow MCD's in locations or through an alternate process than is otherwise currently allowed under the Planning Code."

The motion to amend was carried without objection.

Continued to May 17, 2005

Supervisor Mirkarimi, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED AS AMENDED ON FINAL PASSAGE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Elizabeth Creely; showed interest in Roe vs Wade decision and the women's right to choose

Marilyn Amini; requested that Item 34 be referred to Committee

Ms. Peace Moore; expressed concern over police violence and harassment

Female speaker; expressed concern over general issues

Peter Warfield; expressed concern relating to an issues at UC Berkely

Male speaker; expressed concern of responses from Supervisors to their constituents

Eugene Gordon, Jr; showed interest in a legal ballot "Abbreviated Ballot Measure"

Female speaker; expressed concern relating to SFUSD lack of training for teachers in recognizing child abuse

Male speaker; showed interest in recreational and City issues and expressed gratitude to the Board members

James Chaffee; expressed concern relating to SF Library issues

Female speaker ; expressed concern with general issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

050775 [Committee of the Whole - May 10, 2005, at 5:00 p.m.] Supervisor Mirkarimi

Motion for the Board of Supervisors to convene as a committee of the whole on May 10, 2005, at 5:00 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance extending an interim zoning moratorium throughout the City for 60 days on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Enacted Number: M05-70

APPROVED

050787 [Drinking Water Week] Supervisor Ma

Resolution recognizing May 1-7, 2005 as "Drinking Water Week" in the City and County of San Francisco.

Enacted Number: 350-05

ADOPTED

050788 **[Commending Homeless Mothers in San Francisco]** Supervisor Mirkarimi

Resolution commending the homeless mothers who are struggling to raise families in San Francisco in the midst of a housing crisis.

Enacted Number: 379-05

ADOPTED

050789 **[Public Works Week]** Supervisors Peskin, Ma

Resolution declaring May 16 through 20, 2005, as Public Works Week.

Supervisor Ma requested to be a co-sponsor.

Enacted Number: 351-05

ADOPTED

050790 **[Honoring Bay Area Holocaust Survivors]** Supervisors Sandoval, Peskin, Dufty, Ma, Elsbernd

Resolution honoring Bay Area Holocaust Survivors on the 60th Anniversary of their liberation, and commending them for their contributions to the San Francisco and Bay Area community.

Supervisors Ma and Elsbernd requested to be co-sponsors.

Enacted Number: 352-05

ADOPTED

050772 **[California's Day of the Teacher]** Supervisors Ammiano, Daly, Mirkarimi, Ma, Elsbernd

Resolution declaring May 11, 2005 as California's Day of the Teacher in the City and County of San Francisco.

Supervisors Ma and Elsbernd requested to be co-sponsors.

Enacted Number: 349-05

ADOPTED

050762 **[Final Map for a 2 Lot Merger and 5 Lot Resubdivision Project - 226 Oneida Avenue]**

Motion approving Final Map of Oneida Avenue, A 2 Lot Merger and 5 Lot Resubdivision Project, being a resubdivision of Lots 8B and 9D in Assessor's

Block No. 6951, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No. 175,373; District 11.)

Enacted Number: M05-68

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Without Committee Reference Agenda

Supervisor Mirkarimi requested that this matter be severed so that they might be considered separately.

050774 [Report for Interim Moratorium on Clubs or Dispensaries Where Marijuana is Grown, Purchased or Distributed With a Medical Recommendation] — Supervisor Mirkarimi

Motion issuing the Planning Department's report concerning the Board's urgency Ordinance that imposed a 45-day interim moratorium on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050791 [Nova Knits Inc.] — Supervisors McGoldrick, Peskin, Maxwell, Sandoval, Mirkarimi, Ammiano, Daly, Alioto-

Pier, Dufty

Resolution urging Nova Knits Inc. to comply with the Worker Adjustment and Retraining Notification (WARN) Act and the legitimate requests of its laid off workers and to ensure that its laid off workers are able to access transitional employment benefits through Unemployment Insurance, the Workforce Investment Act (WIA) and the Trade Adjustment Assistance Act (TAA).

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved an amendment of the whole; further amended on page 2, line 20 by adding "WHEREAS, The Gap has launched an internal investigation."

Supervisors Alioto-Pier and Dufty requested to be added as co-sponsors

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly requested that this matter be severed so that it might be considered separately.

050760 **[Final Map for a 6 Unit Residential Condominium Project - 400-402-404-406-408-410 Vallejo Street]**

Motion approving Final Map of 400-402-404-406-408-410 Vallejo Street, A Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 133, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No. 175,357; District 3.)

Continued to May 17, 2005

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

050215 **[Revision of the recourse hearing procedures for public work prevailing wage violations]** Supervisors Ammiano, Peskin

Ordinance amending San Francisco Administrative Code Section 6.22, at subsection 6.22(E)(8)(c), to revise the recourse hearing procedures for contractors challenging forfeitures for prevailing wage violations on public work projects.

2/8/05, RECEIVED AND ASSIGNED to Rules Committee.

2/10/05, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and recommendation.

3/22/05, RESPONSE RECEIVED. Small Business Commission unanimously supports ordinance as is.

3/31/05, TRANSFERRED to Budget and Finance Committee.

5/10/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Supervisor Ammiano submitted a substitute ordinance bearing new title.

050817 **[Designating rent and tax credits as "public monies" for purposes of Fiscal Feasibility Ordinance]** Supervisors Peskin, Maxwell, Alioto-Pier

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, 29.4, and 29.7, to: exempt voter-approved projects from the Fiscal Feasibility Ordinance; include rent credits and City-granted Mills Act tax credits as "public monies" for purposes of the Ordinance; require additional information from applicants for environmental review; set a deadline for Board action; and, suspend application to certain projects undergoing environmental review.

5/10/05, RECEIVED AND ASSIGNED to Rules Committee.

050822 **[Reenacting a Disadvantaged Business Enterprise Program]** Supervisor Ammiano

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

5/10/05, ASSIGNED to Board of Supervisors.

050825 [Homeless Death Form] Supervisors Dufty, Daly, Mirkarimi

Ordinance amending the San Francisco Health Code by adding Sections 220 through 226, requiring those registering deaths with the Health Department to file a Homeless Death Form.

5/10/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 05/23/05 - Referred to Health Department for review and comment.

050829 [Requiring baby diaper-changing accommodations in new Public-Serving and Substantially Renovated Public-Serving Establishments] Supervisor Sandoval

Ordinance amending the Planning Code by adding Section 166 to require that new public-serving establishments and substantially renovated public-serving establishments install baby diaper-changing accommodations; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

5/10/05, RECEIVED AND ASSIGNED to Land Use Committee.

050830 [Zoning - Allow Tourist Hotels of 75 Rooms or Less in the SSO District] Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Section 818 and adding Section 818.78 to Table 818 to allow a tourist hotel of 75 rooms or less as a principal permitted use in the SSO (Service/Secondary Office District); adopting findings.

5/10/05, RECEIVED AND ASSIGNED to Land Use Committee.

Resolutions

050819 [Extending Early Retirement Program] Supervisor Ma

Resolution extending Early Retirement Program for and through fiscal year 2005-06.

(Fiscal impact.)

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 5/12/05 - Received correspondence from Clare M. Murphy, Retirement System Executive Director and Acting Actuary, regarding: 1) Effect of Proposed Resolution, and 2) Cost of the Early Retirement Program though January 31, 2005. Copy distributed to each member of the Board.

050824 **[Contract funds to participate in the development of a national violent death reporting system]** Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the California Department of Health Services (CDHS), the primary contractor, and expend funds in the amount of up to $70,000 in order to participate in the development of a national violent death reporting system, and to add one 0.5 position funded under this agreement; for the period of January 1, 2005, through September 29, 2009.

5/10/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050831 **[Rescind FDA Sperm Donor Recommendations]** Supervisors Ammiano, Dufty

Resolution urging the Federal Food and Drug Administration (FDA) to rescind its policy recommendations for anonymous sperm donors which bar gay and bisexual men from being prospective donors, and further urging the FDA to adopt community recommendations to institute a non-discriminatory policy based on sexual behavior rather than sexual orientation.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050832 **[Nurses Day - May 12, 2005]** Supervisors Ammiano, Elsbernd, Sandoval

Resolution declaring May 12, 2005 as "Nurses Day" in the City and County of San Francisco.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050833 **[Ninth Taiwanese Cultural Festival]** Supervisor Ammiano

Resolution recognizing the Ninth Taiwanese Cultural Festival in San Francisco and commending the Taiwanese American Federation of Northern California and its many volunteers on this 21st day of May, 2005, for contributing to the recognition of Taiwanese Americans in the City and County of San Francisco.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050834 **[Classified Employees Week]** Supervisor Ammiano

Resolution supporting the negotiations in good faith between Service Employees International Union (SEIU) and United Educators of San Francisco (UESF) to ensure classified employees are adequately honored and

appreciated for the invaluable service they provide to the children of San Francisco and further honoring and recognizing May 15 through May 21, 2005 as Classified Employees Week.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050835 **[AB 1612-Cigarette Pollution and Litter Prevention Act of 2005]** Supervisor Alioto-Pier

Resolution in support of AB 1612, the Cigarette Pollution and Litter Prevention Act of 2005, by the City and County of San Francisco.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050836 **[Commending Joe Matranga]** Supervisor Elsbernd

Resolution commending Joe Matranga on the celebration of his 21 years of service to The City and County of San Francisco.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050837 **[Mural Awareness Month]** Supervisor Ma

Resolution recognizing May 2005 as "Mural Awareness Month" in the City and County of San Francisco.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050838 **[Hydrogen Vehicle Feasibility Study]** Supervisor Ma

Resolution urging the Department of Administrative Services to conduct a feasibility study on the use of hydrogen engine vehicles in the City vehicle fleet.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050839 **[Supporting H.R. 1712 and S 880]** Supervisor McGoldrick

Resolution supporting H.R. 1712 and S880 which intends to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050840 **[San Francisco Nature Education Day]** Supervisor McGoldrick

Resolution declaring May 20, 2005 as San Francisco Nature Education Day.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050841 **[Commending the Women of Sister's Tea]** Supervisor Maxwell

Resolution commending the Women Extraordinary awardees of the Sister's Tea.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050842 **[Extending the Asthma Task Force to June 30, 2008]** Supervisor Maxwell

Resolution extending the Asthma Task Force to June 30, 2008.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050843 **[Accept-Expend Federal Grant - 2005 After-School Snack Pilot Program]** Supervisor Maxwell

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $196,453 from the United States Department of Agriculture for the 2005 After-School Snack Pilot Program.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050844 **[Accept-Expend Grant Awarded to the San Francisco Department of the Environment by Golden Gate University School of Law, Environmental Law and Justice Clinic]** Supervisors Maxwell, Peskin, Ammiano, Daly

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of $23,000 from the Environmental Law and Justice Clinic of the Golden Gate University School of Law for administrative and outreach services relating to a Clean Air Act educational workshop and an Environmental Justice conference to bring together governmental agencies, community groups, activists and academic institutions.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050845 **[Supporting Conscientious Objection to the Iraq** Supervisors Mirkarimi,

War and Occupation] Daly, McGoldrick, Ammiano

Resolution supporting Conscientious Objection to the Iraq War and Occupation.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050846 [Opposing Special Election] Supervisor Peskin

Resolution opposing Governor Arnold Schwarzenegger's proposal for a special election.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050847 [Grant to develop and implement a local infrastructure to augment the current activities of the S.F. Childhood Lead Prevention Program] Supervisor Peskin

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend a new grant in the amount of $52,550 from the State Department of Health Services (SDHS) Lead Hazard Reduction Compliance and Enforcement Program, to enter into an agreement for the use of these funds, and to add one 0.1 position funded through this grant; for the period of July 1, 2005, to June 30, 2006.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050848 [Accept-Expend Federal Grant - Department of Public Works] Supervisor Peskin

Resolution authorizing the Department of Public Works to accept and expend a grant of federal Surface Transportation funds in the amount of $2,000,000 through the Metropolitan Transportation Commission's Transportation for Livable Communities Program for Broadway Streetscape Improvements Project, Phase II, and stating the assurance of the San Francisco Department of Public Works to complete the project.

(Fiscal impact.)

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

050823 [Hearing - Emergency ordinance reenacting a

Disadvantaged Business Enterprise Program]

Hearing to consider the possible adoption of an Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

5/10/05, ASSIGNED to Board of Supervisors. Pursuant to File 050821, Board to sit as a Committee of the Whole May 24, 2005 at 4:00 p.m.

050826 [Community Policing] Supervisor Mirkarimi

Hearing on the practice and efficacy of "Community Policing" (state of art term) throughout San Francisco's diverse communities as well as identifying new and accountable strategies for improving Community Policing as well as determining how its function intersects with the needs of the community, referring to: housing and land use, employment, truancy, alternative day-evening youth programs vocational training opportunities, public works' code enforcement, public/mental health, children day-care, and criminal recidivism. Further requesting presentation by the SFPD chief Heather Fong and Office of Legislative Analyst on the practice of community policing in San Francisco and elsewhere.

5/11/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050827 [Maintenance of McLaren Park] Supervisors Sandoval, Maxwell

Hearing on the maintenance of McLaren Park, particularly the medians along Mansell Street and the weeds throughout the park.

5/10/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motions

050815 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050816 **[Confirming Edwin Lee as City Administrator]** Mayor, Supervisor Elsbernd

Motion confirming Edwin Lee as City Administrator.

5/10/05, RECEIVED AND ASSIGNED to Rules Committee.

050820 **[Off-Site Government Audit and Oversight Committee Meeting on June 18, 2005, 2:00 p.m. to 4:00 p.m., at the California State Building Auditorium, 455 Golden Gate Avenue]** Supervisor Peskin

Motion scheduling a special off-site meeting of the Government Audits and Oversight Committee on Saturday, June 11th at 1:00 p.m. for the purpose of receiving community input regarding the status of Laguna Honda Hospital.

5/10/05, RECEIVED AND ASSIGNED to Rules Committee.

050821 **[Emergency Disadvantaged Business Enterprise Program - May 24, 2005, Committee of the Whole]** Supervisor Ammiano

Motion for the Board of Supervisors to convene as a committee of the whole on May 24, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050828 **[Certain Commission candidates must file Statements of Economic Interests prior to Board consideration]** Supervisors Peskin, Ammiano, Elsbernd

Motion amending the Board's Rules of Order to add Rule 2.32, requiring each candidate for a Board, Commission or advisory body appointment or confirmation who would be required to file a Form 700 (Statement of Economic Interests) to submit such a Statement to the Clerk of the Board of Supervisors prior to Board Consideration of the appointment or confirmation, and allowing the Board to consider appointments or confirmations, despite the failure of an applicant to file a completed Form 700, if the time for Board consideration is about to expire.

5/10/05, RECEIVED AND ASSIGNED to Rules Committee.

Charter Amendment

050818 **[Charter Amendment - Dividing appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors]** Supervisor Ammiano

Charter amendment (First Draft) to amend Section 8A.102, to divide appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors.

5/10/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/9/2005. 5/16/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning, Environmental Review Officer; Budget Analyst; Clerk of the Board; MTA.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

050763 **[Lease of Real Property - One South Van Ness Avenue]**

Resolution authorizing the exercise of an option to lease 66,317 square feet of space and extending the term of an existing lease at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco. (Real Estate Department)

(Fiscal impact.)

5/2/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Sandoval

To: Director, Public Utilities Commission

Requesting/Inquiring: To investigate the feasibility of relocating a utility pole currently on Cotter at Mission Street in front of the Excelsior Library windows, five feet so that the pole is closer to Mission Street. A photo of the pole in question is attached.

Cc: Marian C. Taylor

Friends of the San Francisco Library

391 Grove Street

San Francisco, CA 94102

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To prepare legislation that requires the City to provide legal representation at the Board of Appeals to the Planning Department, the Planning Commission and the Department of Building Inspections for permits that are issued by such departments.

From: Supervisor Elsbernd

To: Director, Department of Economic and Workforce Development

To: Director, Department of Recreation and Park

Requesting/Inquiring: Can the University of California Berkeley's football program relocate to Candlestick Park while their stadium undergoes renovation? If the University of California Berkeley's football program temporarily relocated to play their home games at SBC Park, what type of revenue would the Cal Bears football program bring to surrounding neighborhoods of SBC Park?

From: Supervisor Mirkarimi

To: Chief of Police, SFPD

To: Office of Legislative Analyst

Requesting/Inquiring: To make presentations on the practice of community policing in San Francisco and elsewhere. Matter to be considered in Government Audit & Oversight Committee.

Bruce Franks (Entire Board)

Luis Cervantes (Supervisor Ammiano)

John Holub (Supervisor Mirkarimi)

Vernon Demars (Supervisors Peskin, McGoldrick)

Miguel Contreras (Supervisor Sandoval)

Brendon Yih Wen (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:55 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 7, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

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City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, May 17, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular

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Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris*

Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Maxwell, moved to approve the April 19, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Rules Committee

041570 [Conflict of Interest Code Amendments] Supervisor Daly

Ordinance amending Chapter 1 of Article III of the Campaign and

Governmental Conduct Code by amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-205, 3.1-218, 3.1-230, 3.1-245, 3.1-265, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-315, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-410, 3.1-420, 3.1-430, 3.1-435, and 3.1-440; deleting sections 3.1-255 and 3.1-268; and adding section 3.1-222 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories.

4/27/05 Amendment of the Whole bearing same title.

Enacted Number: 99-05
FINALLY PASSED

050434 **[Establishing Graffiti Violation Rewards and Clarifying Uses of Littering and Nuisance Reward Fund Monies]** Supervisor Ma

Ordinance amending the San Francisco Administrative Code by amending Section 10.100-234, the Public Works Littering and Nuisance Violation Reward Fund, to reward persons who have provided information leading to the arrest and conviction of persons under California Penal Code Sec. 594 for graffiti vandalism and to clarify uses of fund where a reward is inapplicable or unclaimed.

Enacted Number: 90-05
FINALLY PASSED

050643 **[Extension of San Francisco Museum and Historical Society Advisory Committee's operations for one year]** Supervisor Peskin

Ordinance amending Section 2A.166 of the San Francisco Administrative Code in order to extend the operations of the San Francisco Museum and Historical Society Advisory Committee for one year, until June 1, 2006.

Enacted Number: 96-05
FINALLY PASSED

050548 **[Settlement of Lawsuit - ARCO et al.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against The Hertz Corporation and BP/Atlantic Richfield, for the payment to the Airport of environmental clean-up costs with regard to City and County of San

Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).

Enacted Number: 91-05
FINALLY PASSED

050567 [Settlement of Lawsuit - Tamyra D'Ippolito]

Ordinance authorizing settlement of the lawsuit filed by Tamyra D'Ippolito against the City and County of San Francisco for $35,000; the lawsuit was filed on July 23, 2001 in San Francisco Superior Court, Case No. 323-130; entitled Tamyra D'Ippolito, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 92-05
FINALLY PASSED

050568 [Settlement of Lawsuit - Bryan Ketron]

Ordinance authorizing settlement of the lawsuit filed by Bryan Ketron against the City and County of San Francisco for $57,500 and the lawsuit filed by Alisa Vincent against the City and County of San Francisco for $25,000; the cases have been consolidated under Bryan Ketron v. City and County of San Francisco, et al., Superior Court , Case No. 414-357. The Ketron lawsuit was filed on November 4, 2002 in Superior Court, Case No. 414-357 the Vincent lawsuit was filed on March 21, 2003 in Superior Court, Case No. 418-577. (City Attorney)

Enacted Number: 93-05
FINALLY PASSED

050571 [Settlement of Lawsuit - Teri Smith]

Ordinance authorizing settlement of the lawsuit filed by Teri Smith against the City and County of San Francisco for an agreement to spend an amount not to exceed $1,100,000.00 to make certain disability access improvements at the San Francisco Zoo; the lawsuit was filed on June 19, 2002 in US District Court (Case No C02-2936 PJH).

Enacted Number: 94-05
FINALLY PASSED

050582 [Settlement of Lawsuit - Pacific Gas and Electric Company]

Ordinance approving settlement of litigation by Pacific Gas and Electric Company against City and County of San Francisco for $3,000.

Enacted Number: 95-05
FINALLY PASSED

050657 [Settlement of Lawsuit - Nicholas Holley]
Ordinance authorizing settlement of the lawsuit filed by Nicholas Holley against the City and County of San Francisco for the payment of $50,000; the lawsuit was filed on January 23, 2004, in San Francisco Superior Court, Case No. 428-216; entitled Nicholas Holley v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 97-05
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

050764 [Adopting findings related to affirming the categorical exemption for 1 La Avanzada Avenue (aka 250 Palo Alto Avenue)]
Motion adopting findings affirming the determination by the Planning Department that the 1 La Avanzada Street (aka 250 Palo Alto Avenue) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

(Companion measure to Files 050380, 050381, 050382, 050383.)

Enacted Number: M05-75

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Subcommittee

050350 **[Appropriate funds to pay for litigation fees associated with the Residential Hotel Unit Conversion/Demolition Ordinance for FY2004-05]** — **Supervisors Peskin, Sandoval, Ammiano**

Ordinance appropriating $300,000 from the Residential Preservation Fund Account, within the Building Inspection Fund's Repair & Demolition subfund, to pay for litigation fees associated with the defense of the Residential Hotel Unit Conversion and Demolition Ordinance for Fiscal Year 2004-2005.

(Fiscal impact.)

Supervisor Sandoval requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050681 **[Bond Sale of Branch Library General Obligation Bonds]** — **Supervisors Elsbernd, Sandoval**

Resolution authorizing and directing the sale of not to exceed $34,000,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000), Series 2005G; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Supervisor Sandoval requested to be added as a co-sponsor.

Enacted Number: 357-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050735 **[Appropriate bond sale proceeds from the sale of 2000 Branch Library Improvement Program Bond - 3rd Series to fund the improvement and construction of San Francisco Public Library**

Mayor, Supervisors Sandoval, Ammiano

Ordinance appropriating, and placing on reserve, $35,801,823 of bond sale proceeds from the 2000 Branch Library Improvement Program Bond - 3rd Series to fund the improvement and construction of San Francisco Public Library facilities for current fiscal year 2004-05.

(Fiscal impact.)

Supervisor Sandoval requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050680 **[Bond Sale of Zoo Facilities Bonds]**

Supervisors Elsbernd, Sandoval

Resolution authorizing and directing the sale of not to exceed $7,505,000 City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), Series 2005H; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Supervisor Sandoval requested to be added as a co-sponsor.

Enacted Number: 356-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050736 **[Appropriate General Obligation Bond sale proceeds to fund the acquisition, construction and/or reconstruction of San Francisco Zoo**

Mayor, Supervisors Elsbernd, Sandoval, Ammiano

facilities and properties]

Ordinance appropriating, and placing on reserve, $7,505,000 in General Obligation Bond sale proceeds to fund the acquisition, construction and/or reconstruction of San Francisco Zoo facilities, properties and all other works (as part of 1997 Proposition C) for current fiscal year 2004-05.

(Fiscal impact.)

Supervisors Elsbernd and Sandoval requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050619 **[Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]**

Resolution authorizing the Airport Commission to accept and expend grant funds in a total amount of $20,066,423 from the Federal Aviation Administration: $6,066,423 (A.I.P 28, Project No. 3-06-0221-28); $8,250,000 (A.I.P 31, Project No. 3-06-0221-31), and $5,750,000 (A.I.P 32, Project No. 3-06-0221-32) for Airport standard and security improvements. (Airport Commission)

Enacted Number: 354-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050676 **[Accept - Expend State Grant - S.F. Library]** Supervisors McGoldrick, Sandoval

Resolution authorizing the San Francisco Public Library to accept and expend funds in the amount of $5,958,841 from the state Office of Library Construction from funds made available under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 for the renovation and expansion of the Richmond/ Senator Milton Marks Branch Library.

Supervisor Sandoval requested to be added as a co-sponsor.

Enacted Number: 355-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050694 **[Accept - Expend State Grant - S.F. Library]** Supervisors Sandoval, Elsbernd

Resolution authorizing the San Francisco Public Library to accept and expend funds in the amount of $3,751,943 from the state Office of Library Construction from funds made available under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 for the construction of the new Ingleside Branch Library.

Enacted Number: 360-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government Audit and Oversight Committee

050745 [Water Rates] Mayor, Supervisor Ammiano

Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco.

(Fiscal impact.) (Supervisor Mirkarimi dissenting in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma

Recommendations of the Land Use Committee

050724 [Zoning Map Amendment in connection with the Alabama and 18th Streets Affordable Housing Special Use District]

Ordinance amending the Sectional Zoning Map No. 7SU of the San Francisco Planning Code to incorporate the Alabama and 18th Streets Affordable Housing Special Use District as being applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings. (Planning Department)

Supervisor Daly, seconded by Supervisor Maxwell, moved that this Ordinance be **RE-REFERRED.** The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050725 [Alabama and 18th Streets Affordable Housing Special Use District]

Ordinance amending the San Francisco Planning Code by adding Section 249.27 to create the Alabama and 18th Streets Affordable Housing Special Use District applicable to the block bounded by 18th, 19th, Alabama, and

Florida Streets (Assessor's Block 4021, Lot 001); adopting findings. (Planning Department)

Supervisor Daly, seconded by Supervisor Maxwell, moved that this Ordinance be RE-REFERRED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

041741 **[Castro Street and Upper Market Neighborhood Commercial Districts - Exemption of certain entertainment permits from the conditional use process]** Supervisor Dufty

Ordinance amending the San Francisco Planning Code by amending Section 715.48 and Section 721.48 to provide that existing bars in the Castro Street and Upper Market Neighborhood Commercial Districts will be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; adopting findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050352 **[Supporting State Legislation AB 781]** Supervisors Peskin, Ammiano, Daly, McGoldrick

Resolution urging the California State Legislature to approve Assembly Bill 781, introduced by Assemblyman Mark Leno.

Enacted Number: 377-05

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant

privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to members of the Department of Public Works in recognition of Department of Public Works Week in San Francisco.

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Angela Hinckle in honor of her 100th Birthday.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

050776 [Hearing - 6 Month Extension of Interim Moratorium on Medical Canabis Dispensaries]

Hearing to consider the possible adoption of an urgency ordinance approving a 6 month extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings. (Clerk of the Board)

Arthur Evans; opposed to the proposed legislation

Dan Liberonsen, Miraloma Park; expressed concern over legislation

Reverend Randelyn Webster, Patients Cooperative; support of legislation

Jonathan Beaver; opposed to legislation

Robert Pender, Vice President, Park Merced Apartments; support of legislation

Brent Saupe; expressed concern regarding guidelines

Tony Boles, President of California Marijuana Party, opposed to moratorium

Shawna, SF America Safe Access; opposed to moratorium

Marilyn Amini; expressed concern regarding reports and amended legislation

Micki Norris; support of legislation

Sylvia; support of legislation

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

050773 **[Zoning - 6 Month Extension of Interim Moratorium on Medical Cannabis Dispensaries]** **Supervisor Mirkarimi**

Urgency ordinance approving a 6-month extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Enacted Number: 98-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

Supervisor Mirkarimi noted absent at 4:40 p.m.

Supervisor Daly noted absent at 5:15 p.m.

050664 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2506 Union Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 14, 2005 (Case No. 2004.1201E), exempting from environmental review under CEQA Guidelines Section 15301(e) and 15331,

the proposal to demolish the one-story garage located in the front setback area and add an approximately 1,953-square foot horizontal addition in the rear of the single-family building. The proposed addition would result in an approximately 5,876-square foot, two-story over garage single-family residential structure. The height of the structure would not change. The proposed alteration would include major interior alterations and a new two-car tandem-parking garage in the basement of the existing structure. The project would provide the required 45% rear yard requirement, which is approximately 34'-9". The existing building on the project site was constructed around 1898 and is listed in HERE TODAY, and as such, is considered an historical resource under the California Environmental Quality Act (CEQA). The existing building is also listed in the 1976 Architectural Survey conducted by the San Francisco Planning Department.

The 4,812-square foot site is located at 2506 Union Street (Lot 05, Assessor's Block 0945), 25 feet from the northwest corner of Union and Scott Streets in the Marina Neighborhood. The site is zoned RH-1 (Residential-House, One-Family) and is within a 40-X height and bulk district. (Appellant: Jeremy Paul on behalf of Jacqueline and John McMahan.)

(Filed April 11, 2005; companion measure to Files 050665, 050666, 050667; District 2.)

Jeremy Paul, on behalf of Jacqueline and John McCann, appellants

Pat Buscavich; support of appellant

John McCann; appellant

Male speaker; support of appellant

Male speaker; support of appellant

Erin Grucz; SF Heritage, support of appellant

Larry Badiner, Zoning Administrator, Paul Maltzer, Environmental Officer, and Adam Light, Planning Department reviewed with the Board the recommendation of the Planning Department.

Alice Barkley, Attorney for project sponsor.

Hisashi B. Sugaya, AICP; Architect for project sponsor

Owner of the property

Jeremy Paul, on behalf of the appellant; rebuttal period

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else

raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

050665 [Affirming the categorical exemption issued for 2506 Union Street]

Motion affirming the determination by the Planning Department that the 2506 Union Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-71

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Daly, Mirkarimi

050666 [Disapproving the categorical exemption issued for 2506 Union Street]

Motion disapproving the determination by the Planning Department that the 2506 Union Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Daly, Mirkarimi

050667 [Preparation of findings related to the categorical exemption issued for 2506 Union Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 2506 Union Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-72

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Daly, Mirkarimi

SPECIAL ORDER 4:30 P.M.

Supervisor Mirkarimi noted present at 5:30 p.m.

Supervisor Daly noted present at 5:33 p.m.

Supervisor Daly noted absent at 5:55 p.m.

050658 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 755 22nd Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated September 20, 2004, Case No. 2004.0338DDD, (Building Permit Application No. 2003.09.29.6087S), exempting from environmental review under Section 101.1, the proposal to construct a 3-story horizontal addition at the rear of the 3-story structure and to add a dwelling unit at the ground floor level as reviewed by the Commission on September 9, 2004. Planning Commission failed to pass a motion, therefore the item was approved as proposed.

The project is located at 755 22nd Street, Lot 14 in Assessor's Block 1665. (Appellants: Camille Hamilton and David R. Pating).

(Filed April 11, 2005; companion measure to Files 050659, 050660, 050661; District 1.)

Camille Hamilton and David Pating, appellant

Sandra Fewer; support of appellant

Patricia O'Neal; support of appellant

A.D. Wyatt Norton; support of appellant

Gray Holland; support of appellant

G. Platt; support of appellant

Paul Maltzer, Environmental Officer, Planning Department and Larry Badiner, Zoning Administrator reviewed the recommendation of the Planning Department.

Jeff Nemy; Owner of the property

Ed Kemp; support of Planning Department's decision

Charles Hickey; support of Planning Department's decision

Cliff Gardner; support of Planning Department's decision

Ted Lee; support of Planning Department's decision

Laura Hayber; support of Planning Department's decision

Male speaker; support of Planning Department's decision

Nick Ames; support of Planning Department's decision

Male speaker; support of Planning Department's decision

Male Speaker; support of Planning Department's decision

Andrew Junius, Attorney for the project sponsor

Camille Hamilton, Appellant; rebuttal period

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

050660 [Disapproving the categorical exemption issued for 755 22nd Avenue]

Motion disapproving the determination by the Planning Department that the 755 22nd Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to approve this item.

Motion to approve this matter failed by the following vote:

Ayes: 3 - Ammiano, McGoldrick, Mirkarimi

Noes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval

Absent: 1 - Daly

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this

Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval
Noes: 3 - Ammiano, McGoldrick, Mirkarimi
Absent: 1 - Daly

050659 [Affirming the categorical exemption issued for 755 22nd Avenue]

Motion affirming the determination by the Planning Department that the 755 22nd Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to table this item.

Motion to table this matter failed by the following vote:

Ayes: 3 - Ammiano, McGoldrick, Mirkarimi

Noes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval

Absent: 1 - Daly

Enacted Number: M05-73

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval
Noes: 3 - Ammiano, McGoldrick, Mirkarimi
Absent: 1 - Daly

050661 [Preparation of findings related to the categorical exemption issued for 755 22nd Avenue]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 755 22nd Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to approve this item.

Motion to approve this matter failed by the following vote:

Ayes: 3 - Ammiano, McGoldrick, Mirkarimi

Noes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval

Absent: 1 - Daly

Enacted Number: M05-74

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval

Noes: 3 - Ammiano, McGoldrick, Mirkarimi
Absent: 1 - Daly

COMMITTEE REPORTS

050682 **[Bond Sale of California Academy of Sciences Improvement Bonds]** Supervisors McGoldrick, Elsbernd, Sandoval

Resolution authorizing and directing the sale of not to exceed $79,370,000 General Obligation Bonds (California Academy of Sciences Improvement Bonds, 2000), Series 2005E; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Supervisors Elsbernd and Sandoval requested to be added as co-sponsors.

Enacted Number: 358-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050732 **[Steinhart Aquarium General Obligation Bond Issuance]** Supervisors McGoldrick, Elsbernd, Sandoval

Resolution providing for the issuance of not to exceed $29,245,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Steinhart Aquarium Improvement Bonds, 1995); authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Supervisors Elsbernd and Sandoval requested to be added as co-sponsors.

Enacted Number: 361-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050733 **[Bond Sale of Steinhart Aquarium Improvement Bonds]** Supervisors McGoldrick, Elsbernd, Sandoval

Resolution authorizing and directing the sale of not to exceed $29,245,000 General Obligation Bonds (Steinhart Aquarium Improvement Bonds, 1995), Series 2005F; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Supervisors Elsbernd and Sandoval requested to be added as co-sponsors.

Enacted Number: 362-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050734 **[Appropriate bond sale proceeds from the 1995 Steinhart Aquarium Bond and 2nd series sale of the 2000 Academy Facility Improvement Bond to fund the reconstruction, renovation and other** Mayor, Supervisors Elsbernd, Sandoval, Ammiano

Ordinance appropriating, and placing on reserve, $29,245,000 of 1995 Steinhart Aquarium (Series - 2005) and $79,370,000 of 2000 Academy of Sciences (2nd Series - 2005) bond sales proceeds, for a total of $108,615,000, to fund the reconstruction, renovation and other construction for California Academy of Sciences in Golden Gate Park for current fiscal year 2004-05.

(Fiscal impact.)

Supervisors Elsbernd and Sandoval requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050596 **[Traffic Regulation - Galvez Street between Newhall Street and Bayview Plaza Shopping Center]** Supervisor Maxwell

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Galvez Street between Newhall Street and Bayview Plaza Shopping Center from 7:30 A.M. to 3:30 P.M. on every Saturday between May 21, 2005 through December 10, 2005.

Enacted Number: 353-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050693 **[Temporary Sidewalk Occupancy]**

Resolution allowing for occupancy of a portion of the sidewalk on the east side of Fillmore between Chestnut and Bay street from 8:00 A.M. to 3:00 P.M. on every Saturday between May 28, 2005 through October 29, 2005.

Enacted Number: 359-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050674 **[Liquor License, 25 Maiden Lane]**

Resolution determining that the issuance of a Type 48 on sale general public premises liquor license to Cornerstone Restaurant Group LLC, for the business located at 25 Maiden Lane, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 338-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Mirkarimi provided the Board an update on LAFCO on which he represents the Board of Supervisors.

Supervisor Ammiano provided the Board an update on Golden Gate Bridge Board District on which he represents the Board of Supervisors.

Supervisor Dufty also provided the Board an update on Golden Gate Bridge Board District on which he represents the Board of Supervisors.

PUBLIC COMMENT

Male speaker; shared with the Board his singing career

James Chaffe; expressed concern regarding certain Library issues

Jim Adams; showed interest in Democracy and peace and establishing a Mayor's Office of Peace Commission

Michael O'Donnell; expressed concern with Chapters 12d a and 14 of the Administrative Code and 2002-03 Grand Jury reports relating to the sections above

Anthony and Harold Burchnell; expressed concern regarding not waiving fees for honorable discharged individuals

Linda Hunter; Farallones Marine Sanctuary Association

Eugene Gordon, Jr.; showed interest in human rights issues

Male speaker; expressed concern with the Medical Marijuana regulations and requested to have a patient guidelines included

Female speaker; showed interest with pending legislation relating for monies for displaced persons and general issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

050821 **[Emergency Disadvantaged Business Enterprise Program - May 24, 2005, Committee of the Whole]** Supervisor Ammiano

Motion for the Board of Supervisors to convene as a committee of the whole on May 24, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged

Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Enacted Number: M05-76
APPROVED

050831 [Rescind FDA Sperm Donor Recommendations] Supervisors Ammiano, Dufty

Resolution urging the Federal Food and Drug Administration (FDA) to rescind its policy recommendations for anonymous sperm donors which bar gay and bisexual men from being prospective donors, and further urging the FDA to adopt community recommendations to institute a non-discriminatory policy based on sexual behavior rather than sexual orientation.

Enacted Number: 376-05
ADOPTED

050832 [Nurses Day - May 12, 2005] Supervisors Ammiano, Elsbernd, Sandoval

Resolution declaring May 12, 2005 as "Nurses Day" in the City and County of San Francisco.

Supervisors Elsbernd and Sandoval requested to be added as co-sponsors.

Enacted Number: 363-05
ADOPTED

050833 [Ninth Taiwanese Cultural Festival] Supervisor Ammiano

Resolution recognizing the Ninth Taiwanese Cultural Festival in San Francisco and commending the Taiwanese American Federation of Northern California and its many volunteers on this 21st day of May, 2005, for contributing to the recognition of Taiwanese Americans in the City and County of San Francisco.

Enacted Number: 384-05
ADOPTED

050834 [Classified Employees Week] Supervisor Ammiano

Resolution supporting the negotiations in good faith between Service Employees International Union (SEIU) and United Educators of San Francisco (UESF) to ensure classified employees are adequately honored and appreciated for the invaluable service they provide to the children of San

Francisco and further honoring and recognizing May 15 through May 21, 2005 as Classified Employees Week.

Enacted Number: 383-05
ADOPTED

050835 [AB 1612-Cigarette Pollution and Litter Prevention Act of 2005] Supervisor Alioto-Pier
Resolution in support of AB 1612, the Cigarette Pollution and Litter Prevention Act of 2005, by the City and County of San Francisco.

Enacted Number: 364-05
ADOPTED

050836 [Commending Joe Matranga] Supervisor Elsbernd
Resolution commending Joe Matranga on the celebration of his 21 years of service to The City and County of San Francisco.

Enacted Number: 365-05
ADOPTED

050837 [Mural Awareness Month] Supervisor Ma
Resolution recognizing May 2005 as "Mural Awareness Month" in the City and County of San Francisco.

Enacted Number: 366-05
ADOPTED

050839 [Supporting H.R. 1712 and S 880] Supervisor McGoldrick
Resolution supporting H.R. 1712 and S880 which intends to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary.

Enacted Number: 382-05
ADOPTED

050840 [San Francisco Nature Education Day] Supervisor McGoldrick
Resolution declaring May 20, 2005 as San Francisco Nature Education Day.

Enacted Number: 367-05
ADOPTED

050841 **[Commending the Women of Sister's Tea]** Supervisor Maxwell
Resolution commending the Women Extraordinary awardees of the Sister's Tea.

Enacted Number: 368-05
ADOPTED

050842 **[Extending the Asthma Task Force to June 30, 2008]** Supervisor Maxwell
Resolution extending the Asthma Task Force to June 30, 2008.

Enacted Number: 369-05
ADOPTED

050843 **[Accept-Expend Federal Grant - 2005 After-School Snack Pilot Program]** Supervisor Maxwell
Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $196,453 from the United States Department of Agriculture for the 2005 After-School Snack Pilot Program.

Enacted Number: 370-05
ADOPTED

050844 **[Accept-Expend Grant Awarded to the San Francisco Department of the Environment by Golden Gate University School of Law, Environmental Law and Justice Clinic]** Supervisors Maxwell, Peskin, Ammiano, Daly
Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of $23,000 from the Environmental Law and Justice Clinic of the Golden Gate University School of Law for administrative and outreach services relating to a Clean Air Act educational workshop and an Environmental Justice conference to bring together governmental agencies, community groups, activists and academic institutions.

Enacted Number: 371-05
ADOPTED

050845 **[Supporting Conscientious Objection to the Iraq War and Occupation]** Supervisors Mirkarimi, Daly, McGoldrick, Ammiano

Resolution supporting Conscientious Objection to the Iraq War and Occupation.

Enacted Number: 381-05

ADOPTED

050846 **[Opposing Special Election]** Supervisor Peskin

Resolution opposing Governor Arnold Schwarzenegger's proposal for a special election.

Enacted Number: 372-05

ADOPTED

050847 **[Grant to develop and implement a local infrastructure to augment the current activities of the S.F. Childhood Lead Prevention Program]** Supervisor Peskin

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend a new grant in the amount of $52,550 from the State Department of Health Services (SDHS) Lead Hazard Reduction Compliance and Enforcement Program, to enter into an agreement for the use of these funds, and to add one 0.1 position funded through this grant; for the period of July 1, 2005, to June 30, 2006.

Enacted Number: 373-05

ADOPTED

050848 **[Accept-Expend Federal Grant - Department of Public Works]** Supervisor Peskin

Resolution authorizing the Department of Public Works to accept and expend a grant of federal Surface Transportation funds in the amount of $2,000,000 through the Metropolitan Transportation Commission's Transportation for Livable Communities Program for Broadway Streetscape Improvements Project, Phase II, and stating the assurance of the San Francisco Department of Public Works to complete the project.

(Fiscal impact.)

Enacted Number: 374-05

ADOPTED

050815 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-77

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Without Reference to Committee

Supervisor Peskin requested that this matter be severed so that it might be considered separately

Appointment of President Pro Tempore

At the request of the President, Supervisor Ammiano assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

050760 [Final Map for a 6 Unit Residential Condominium Project - 400-402-404-406-408-410 Vallejo Street]

Motion approving Final Map of 400-402-404-406-408-410 Vallejo Street, A Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 133, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No. 175,357; District 3.)

Supervisor Sandoval was noted absent at 4:00 p.m.

NOT APPROVED by the following vote:

Noes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1 - Sandoval

050819 [Extending Early Retirement Program] Supervisor Ma

Resolution extending Early Retirement Program for and through fiscal year 2005-06.

(Fiscal impact.)

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

Supervisor Elsbernd requested that this matter be referred to Committee.

REFERRED to the Government Audit and Oversight Committee.

050838 [Hydrogen Vehicle Feasibility Study] Supervisor Ma

Resolution urging the Department of Administrative Services to conduct a feasibility study on the use of hydrogen engine vehicles in the City vehicle fleet.

Supervisor Daly requested that this matter be severed so that it might be considered separately.

Supervisor Daly requested that this matter be referred to Committee.

REFERRED to the Government Audit and Oversight Committee.

Supervisor Sandoval was noted present at 4:01p.m.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

050867 [San Francisco Community Health Joint Powers Authority Conflict of Interest Code] Supervisor Ammiano

Ordinance amending Chapter 1 of Article III of the Campaign and

Governmental Conduct Code by adding section 3.1-417 to create a conflict of interest code for the San Francisco Community Health Joint Powers Authority.

5/17/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/16/2005.

050868 **[To appropriate funding for San Francisco General and Laguna Honda Hospital operations]** Mayor

Ordinance appropriating $16,683,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and capital projects at San Francisco General Hospital and $1,110,000 in surplus revenues for salaries and materials and supplies for Laguna Honda Hospital for a total of $17,793,000 for the Public Health Department for fiscal year 2004-05.

(Fiscal impact.)

5/17/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050871 **[Adopting the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area]** Mayor, Supervisor Daly

Ordinance approving and adopting the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment and related documents are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; and authorizing official acts in furtherance of this ordinance.

(Fiscal impact.)

5/17/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/16/2005. SUPPORTING MATERIALS: Redevelopment Agency's Executive Director's memo to Agency Commission on South of Market Redevelopment Plan Amendment and related Agency Commission Resolution Nos. 67-2005 through 69-2005 and 71-2005 through 72-2005, adopted by Agency Commission May 3, 2005. Final Environmental Impact Report for the South of Market Redevelopment Plan Amendment (FEIR) and the Final Supplement to FEIR (Appendix H). Report on South of Market Redevelopment Plan Amendment.

050883 **[Designating a sole source contractor for the art elements of the 24th and York Mini Park]** Supervisor Ammiano

Ordinance designating Precita Eyes Muralists as the sole source contractor for the art elements of the 24th and York Mini Park and waiving the competitive procurement requirements of San Francisco Administrative Code Chapter 6 for these services.

5/17/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood

Services Committee.

Resolutions

050819 [Extending Early Retirement Program] Supervisor Ma

Resolution extending Early Retirement Program for and through fiscal year 2005-06.

(Fiscal impact.)

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 5/12/05 - Received correspondence from Clare M. Murphy, Retirement System Executive Director and Acting Actuary, regarding: 1) Effect of Proposed Resolution, and 2) Cost of the Early Retirement Program though January 31, 2005. Copy distributed to each member of the Board.

5/17/05, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be severed so that it might be considered separately. Supervisor Elsbernd requested that this matter be referred to Committee.

050838 [Hydrogen Vehicle Feasibility Study] Supervisor Ma

Resolution urging the Department of Administrative Services to conduct a feasibility study on the use of hydrogen engine vehicles in the City vehicle fleet.

5/10/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/17/05, REFERRED to Government Audit and Oversight Committee. Supervisor Daly requested that this matter be severed so that it might be considered separately. Supervisor Daly requested that this matter be referred to Committee.

050866 [Authorizing Agreement with J.P. Morgan Electronic Financial Services, Inc] Supervisor Ammiano

Resolution authorizing an agreement with J. P. Morgan Electronic Financial Services, Inc. to facilitate the use of state-issued Electronic Benefits Transfer cards at the Alemany Farmer's Market.

5/17/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050872 [Declaring May 2005, Elder Abuse Awareness Month] Supervisors Ma, Ammiano

Resolution declaring May 2005 to be "Elder Abuse Awareness Month" in the City and County of San Francisco.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050873 **[Declaring May 2005, Hepatitis Awareness Month]** Supervisors Ma, Ammiano

Resolution declaring May 2005 to be "Hepatitis Awareness Month" in the City and County of San Francisco.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050874 **[Commending Dave Garrison]** Supervisor Maxwell

Resolution commending Dave Garrison for his commitment to San Francisco and for his years of service on behalf of his family and the community.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050875 **[Commending Saint Ignatius College Preparatory on its 150 years of Jesuit Education]** Supervisors Elsbernd, Sandoval, Alioto-Pier, Ma, McGoldrick

Resolution commending Saint Ignatius College Preparatory on its 150 years of Jesuit Education in San Francisco.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050876 **[Resolution of Intention to form the 2500 Block of Mission Street Business Improvement District (BID)]** Supervisor Ammiano

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "2500 Block of Mission Street Business Improvement District (BID)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

5/17/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050877 **[Resolution of Intention to form the North of Market/Tenderloin Community Benefits District (CBD]** Supervisor Daly

Resolution declaring the intention of the Board of Supervisors to establish a

property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefits District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

5/17/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050878 **[Resolution of Intention to form the Fisherman's Wharf Community Benefit District (CBD)]** Supervisor Peskin

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

5/17/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050881 **[Exploratorium Lease Agreement Exemption]** Supervisor Peskin

Resolution exempting the potential lease of portions of the Piers 15 and 17 properties to the Exploratorium from the competitive bidding policy set forth in Administrative Code Section 2.6-1.

5/17/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050882 **[Street Resurfacing, Pedestrian Safety and Access Improvement General Obligation Bonds]** Supervisors Ammiano, Peskin

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or completion of street reconstruction, pavement renovation, disabled access curb ramp construction, sidewalk and street improvements, street structure rehabilitation and improvements, pedestrian safety street and signal improvements, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated cost of $208,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53.

(Fiscal impact.)

5/17/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050884 **[Congratulating S.F. Archbishop William Levada on his appointment as the new prefect of the Congregation for the Doctrine of Faith]** Supervisors McGoldrick, Maxwell, Elsbernd

Resolution congratulating San Francisco Archbishop William Levada on his appointment as the highest-ranking American in Catholic church history, the prefect of the Congregation for the Doctrine of Faith.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050885 **[Urging Municipal Transportation Agency to make all enrolled San Francisco High School students eligible for their youth rate]** Supervisors Dufty, Ammiano, Ma

Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to make all enrolled San Francisco High School students eligible for their youth rate and to allow all current student identification cards as valid forms of identification.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050888 **[Arts Task Force Appointment]** Supervisor Ammiano

Resolution adding a non-voting member from the Film Commission who shall be appointed by the Mayor of San Francisco.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050890 **[Commending the SF Food Bank, St. Anthony Foundation, and Project Open Hand]** Supervisors Maxwell, Ammiano, Alioto-Pier, Elsbernd, Ma, McGoldrick, Dufty, Peskin, Mirkarimi

Resolution commending the San Francisco Food Bank, St. Anthony Foundation and Project Open Hand as well as more than 450 programs that distribute food in recognizing June 7, 2005 As National Hunger Awareness Day in San Francisco.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050891 **[Temporary "Street Closure to Vehicular Traffic"** Supervisor Mirkarimi

on O'Farrell Street between Steiner and Fillmore]

Resolution enacting temporary "Street Closure to Vehicular Traffic" regulation on O'Farrell Street between Steiner Street and Fillmore Street from 7:00 A.M. to 2 P.M. on every Saturday between July 9, 2005 and November 19, 2005.

5/17/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 05/23/05 - Referred to Parking and Traffic for determination of environmental impact. 05/23/05 - Parking and Traffic notified to post notices and ad place in the 05/28/05 edition of the SF Chronicle. 05/26/05 - Response recieved from Parking and Traffic, exempt from evironmental review.

050892 **[Public Scoping Meeting - 55 Laguna Street]** Supervisors Mirkarimi, Dufty, Daly

Resolution urging the Planning Department to hold a public scoping meeting for the environmental review of the proposed project at 55 Laguna Street Housing Project.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050893 **[Conform Environmental Guidelines to Transit First Policy]** Supervisors Mirkarimi, Ammiano

Resolution urging the Planning Commission to set policy directing the Environmental Review Officer to modify local Environmental Review guidelines to remove the requirement that an Environmental Impact Report is required when a lane of automobile traffic is replaced with a bicycle or pedestrian facility under certain circumstances.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050894 **[Vigilante Border Patrol]** Supervisors McGoldrick, Maxwell, Dufty, Sandoval

Resolution condemning Governor Schwarzenegger's support of the Minuteman Project and urging the State Attorney General as well as the State Legislature to take any necessary actions to prevent any form of vigilante patrol at the California-Mexico border.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050895 **[Opposing the Reauthorization of Patriot Act Provisions]** Supervisors McGoldrick, Ammiano

Resolution urging Senator Barbara Boxer, Senator Dianne Feinstein and U.S.

Representative Nancy Pelosi to oppose any attempts to expand the Patriot Act, to prevent the reauthorization of any Patriot Act provisions, and to allow Patriot Act provisions to expire.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050896 **[Endorsing and expanding MTA "Class Pass" program by offering discount Muni Fast Passes to students/staff/faculty of local colleges and universities]** Supervisors McGoldrick, Elsbernd, Ammiano, Ma

Resolution endorsing the expansion of the Municipal Transportation Agency's (MTA) "Class Pass" program by developing more fare-free transit partnerships with San Francisco colleges and universities.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050897 **[Adopting findings related to the final subdivision map disapproval for property located at 400-410 Vallejo Street]** Supervisor Peskin

Motion adopting findings related to the disapproval of a final subdivision map for a 6-unit condominium subdivision for property located at 400-401 Vallejo Street (Assessor's Block 133, Lot 11).

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050898 **[Endorsing State Legislation AB 749]** Supervisors Peskin, Elsbernd, Ammiano

Resolution endorsing Assembly Bill 749, introduced by Assemblyman Mark Leno, and urging the California State Legislature and the Governor of California to support this bill.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050899 **[Endorsing State Legislation AB 852]** Supervisors Peskin, Elsbernd, Ammiano

Resolution endorsing Assembly Bill 852, introduced by Assemblyman Mark Leno, and urging the California State Legislature and the Governor of California to support this bill.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050900 **[Sari Jo Wade Day]** Supervisor Peskin

Resolution declaring June 10, 2005 Sari Jo Wade Day in the City and County of San Francisco in honor of her extraordinary career and dedicated service toward improving the public welfare of the children and families of this City.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

050869 **[2004-2005 Civil Grand Jury Report - Ethics Commission Budgeting and Staffing Issues]** Supervisor Peskin

Hearing on the recently published 2004-2005 Civil Grand Jury report regarding: The San Francisco Ethics Commission Budgeting and Staffing issues.

5/17/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050870 **[2004-2005 Civil Grand Jury Report - A New Chief of the Juvenile Probation Department: An Opportunity for Reform]** Supervisor Peskin

Hearing on the recently published 2004-2005 Civil Grand Jury report regarding: A New Chief of the Juvenile Probation Department: An Opportunity for Reform.

5/17/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050879 **[A2 Redevelopment Project Areas]** Supervisor Mirkarimi

Hearing on the status, goals and objectives, of the A2 Redevelopment Project Areas concerning the revitalization of the Fillmore-Western Addition Jazz Corridor and Japantown.

5/17/05, RECEIVED AND ASSIGNED to Land Use Committee.

050880 **[Redevelopment Agency]** Supervisor Mirkarimi

Hearing concerning the Redevelopment Agency's Tax Increment impacts to the General Fund as caused by the Agency's Survey/Project Areas in Mid-Market, Transbay, and Bay View; further requests as party to said hearing that the Office of the Controller provide an economic analysis that contrasts any relationship between cuts or benefits for critical services that are funded by the General Fund as compared to any General Fund diversions that support Redevelopment Agency projects.

5/17/05, RECEIVED AND ASSIGNED to Land Use Committee.

050887 **[Laguna Honda Hospital's Reconstruction Project]** Supervisor Peskin

Hearing on the current status of Laguna Honda Hospital's reconstruction project and conditions at the facility during this project.

5/17/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Motions

050889 **[Rejecting the MTA Budget]** Supervisors Daly, Ammiano, Mirkarimi

Motion rejecting the Municipal Transportation Agency's proposed FY 2005-2006 budget, finding that the public was deprived access to the MTA budget decision making process, requesting the MTA Board of Directors act on its budget at its next meeting, and urging the MTA to present a revised budget that does not increase commuter fares or lay off transit operators by June 16th.

(Fiscal impact.)

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050886 **[Committee of the Whole - Health service reductions (Bielenson Hearing) June 21, 2005 at 3:00 p.m.]** Supervisor Ammiano

Motion scheduling the Board to sit as a Committee of the Whole to consider health service reductions (Bielenson Hearing), to be held on June 21, 2005 at 3:00 p.m.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

050852 **[Ordering the vacation of a portion of Bernal Heights Boulevard]**

Ordinance ordering the vacation of a portion of Bernal Heights Boulevard

west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Real Estate Department)

5/6/05, RECEIVED AND ASSIGNED to Land Use Committee.

050855 [Settlement of Lawsuit - Klara Khaimskaya]

Ordinance authorizing settlement of the lawsuit filed by Klara Khaimskaya against the City and County of San Francisco on October 16, 2003 in San Francisco Superior Court, Case No. 425-488, entitled Klara Khaimskaya, et al., v. City and County of San Francisco, et al. and authorizing a payment of $1,020,000. (City Attorney)

5/9/05, RECEIVED AND ASSIGNED to Rules Committee.

050856 [Settlement of Lawsuit - Nydia Rosales]

Ordinance authorizing settlement of the lawsuit filed by Nydia Rosales against the City and County of San Francisco for $40,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-728; entitled Nydia Rosales, et al., v. City and County of San Francisco, et al. (City Attorney)

5/9/05, RECEIVED AND ASSIGNED to Rules Committee.

050857 [Settlement of Lawsuit - Nancy Enciso]

Ordinance authorizing settlement of the lawsuit filed by Nancy Enciso against the City and County of San Francisco for $200,000.00; the lawsuit was filed on August 18, 2004, in the Superior Court of the State of California, County of San Francisco, Case No. 433-927; entitled Nancy Enciso v. The City and County of San Francisco, Hugo Aguilera, et al. (City Attorney)

5/9/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

050850 [Emergency Construction Contract]

Resolution requesting the Board of Supervisors to approve the expenditure of funds for emergency slope and drainage repair at the SFPUC Harry Tracy Water Treatment Plant, in the amount of $2.5 million. (Public Utilities Commission)

(Fiscal impact.)

5/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050851 [Vacation of a portion of Bernal Heights Boulevard]

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Bernal Heights Boulevard west of Moultrie Street and transfer jurisdiction from the Department of Public Works to the Recreation and Park Department; setting the hearing date for all persons interested in the proposed vacation of the street vacation area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Real Estate Department)

5/6/05, RECEIVED AND ASSIGNED to Land Use Committee.

050854 [Airport Concession Lease]

Resolution approving Amendment No. 2 to the Public Locker and Over-the-Counter Baggage Storage Lease No. 95-0263 between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

5/6/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the repair of the empty sidewalk square at 616 Divisadero Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the repair of a block of pitted pavement between Fell Street and Hayes Street.

In Memoriams

David Hamilton Bernard (Supervisors Ammiano, Dufty)

Francis John Murphy, Jr. (Supervisor Dufty)

Leonore "Libby" Scheuer (Supervisor Dufty)

Susan Tse Lee (Supervisors

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:22 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 7, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

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請電 (415) 554-7701

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

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City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, May 24, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

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Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris*

Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisors Alioto-Pier, Maxwell and McGoldrick were noted absent.

Supervisors Maxwell and McGoldrick were noted present at 2:08 p.m.

Supervisor Alioto-Pier was noted present at 2:10 p.m.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to approve April 26, 2005 and May 3, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

CONSENT AGENDA

Recommendations of the Budget and Finance Subcommittee

050350 **[Appropriate funds to pay for litigation fees associated with the Residential Hotel Unit Conversion/Demolition Ordinance for FY2004-05]** — Supervisors Peskin, Sandoval, Ammiano

Ordinance appropriating $300,000 from the Residential Preservation Fund Account, within the Building Inspection Fund's Repair & Demolition subfund, to pay for litigation fees associated with the defense of the Residential Hotel Unit Conversion and Demolition Ordinance for Fiscal Year 2004-2005.

(Fiscal impact.)

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 100-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050735 **[Appropriate bond sale proceeds from the sale of 2000 Branch Library Improvement Program Bond - 3rd Series to fund the improvement and construction of San Francisco Public Library**

Mayor, Supervisors Sandoval, Ammiano

Ordinance appropriating, and placing on reserve, $35,801,823 of bond sale proceeds from the 2000 Branch Library Improvement Program Bond - 3rd Series to fund the improvement and construction of San Francisco Public Library facilities for current fiscal year 2004-05.

(Fiscal impact.)

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 105-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050736 **[Appropriate General Obligation Bond sale proceeds to fund the acquisition, construction and/or reconstruction of San Francisco Zoo facilities and properties]**

Mayor, Supervisors Elsbernd, Sandoval, Ammiano

Ordinance appropriating, and placing on reserve, $7,505,000 in General Obligation Bond sale proceeds to fund the acquisition, construction and/or reconstruction of San Francisco Zoo facilities, properties and all other works (as part of 1997 Proposition C) for current fiscal year 2004-05.

(Fiscal impact.)

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 103-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050734 **[Appropriate bond sale proceeds from the 1995 Steinhart Aquarium Bond and 2nd series sale of the 2000 Academy Facility Improvement Bond to fund the reconstruction, renovation and other**

Mayor, Supervisors Elsbernd, Sandoval, Ammiano

Ordinance appropriating, and placing on reserve, $29,245,000 of 1995

Steinhart Aquarium (Series - 2005) and $79,370,000 of 2000 Academy of Sciences (2nd Series - 2005) bond sales proceeds, for a total of $108,615,000, to fund the reconstruction, renovation and other construction for California Academy of Sciences in Golden Gate Park for current fiscal year 2004-05.

(Fiscal impact.)

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 104-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050743 **[Grant of Federal Funds - MTA]** Supervisor Ammiano

Resolution authorizing the Municipal Transportation Agency to accept and expend $744,000 of Federal Building Fund grant funds from the U.S. General Services Administration for the Municipal Railway's Radio System Replacement Project, excluding administrative overhead costs.

Enacted Number: 394-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

050166 **[Liquor License Transfer, 2118 Union Street]**

Resolution determining that the transfer of a type 20 off-sale beer and wine license to Christina Lundberg and Jim Adams, for WineStyles located at 2118 Union Street from 335 Powell Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 409-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050498 **[Three-Way Stop at Frederick and Willard Streets]** Supervisor McGoldrick

Resolution urging Department of Parking and Traffic to implement a three-way stop at Frederick and Willard Streets.

Enacted Number: 388-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050543 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Faxon Avenue, Elmwood Way and Southwood Drive, making this uncontrolled five-legged intersection an All-Way STOP;
Kansas Street at Vermont/22nd Street, making this uncontrolled intersection an All-Way STOP;
Persia Avenue and London Street, stopping Persia Avenue at London Street making this intersection an All-Way STOP; and,
17th Street and Alabama Street, stopping 17th Street at Alabama Street, making this intersection an all-way STOP. (Parking and Traffic Department)

(4/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2976.)

Enacted Number: 389-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050544 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR PARKING - ESTABLISH
Andover Street, east side, from the southern property line of 717 Andover Street to the northern property line of 779 Andover Street.

NO PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Sheridan Street, south side, between 9th and 10th Streets.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
27th Street, north side, between the driveways of 318 and 322 - 324 27th Street (9 foot zone, accommodating 2 motorcycle parking spaces).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Shotwell Street, east side, in front of 337-339 Shotwell Street (18 foot zone, accommodating 6 motorcycles).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM,

MONDAY THROUGH FRIDAY) - ESTABLISH
York Street, east side, between 19th and 20th Streets (700 block); and,
Rhode Island Street, both sides, between 24th and 25th Streets (1300 block).

TOW-AWAY NO STOPPING, 7 AM TO 7 PM, MONDAY THROUGH SATURDAY - RESCIND
TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Harrison Street, south side, from Main Street to 35 feet westerly

NO PARKING ANYTIME - ESTABLISH
Main Street, west side, from Harrison Street to 22 feet northerly.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Front Street, east side, from Clay Street to 30 feet southerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Scott Street, east side, from the north crosswalk at Grove Street to 16 feet southerly.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Bush Street, north side, from Mason Street to Kearny Street

NO PARKING ANYTIME - RESCIND
Bush Street, north side, from St. George Alley to Kearny Street (maintaining 7 AM to 9 AM, Tow-Away Lane); and,
Persia Avenue, north side, from London Street to 20 feet westerly (in conjunction with STOP sign changes).

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Bush Street, south side, between Grant Avenue and Kearny Street (Parking and Traffic Department)

(4/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2976.)

Enacted Number: 417-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050545 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE TURN LANES - RESCIND
Beale Street, southbound, at Mission Street;
Battery Street, southbound, at Clay Street;
Clay Street, eastbound, at Battery Street; and,
Kearny Street, northbound, at Bush Street.

NO TURN ON RED, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
NO TURN ON RED, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
8th Street at Bryant Street

LEFT LANE MUST TURN LEFT - ESTABLISH
Franklin Street, northbound, at Bay Street (Parking and Traffic Department)

(4/13/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2976.)

Enacted Number: 390-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050555 [Traffic Regulations - Bike Lanes on Lake Street] Supervisor McGoldrick

Resolution enacting bike lanes on Lake Street.

BIKE LANES - ESTABLISH
Lake Street, both directions, between Arguello Boulevard and 3rd Avenue.

(3/24/05: Categorically exempt from EnvironmentalReview Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 392-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050564 [Liquor License, 740 Clementina Street]

Resolution determining that the issuance of a type 20 off-sale beer and wine license to Peter W. Langenstein for Peloton Services, Inc., located at 740 Clementina Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 387-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050618 [Liquor License, 1327 Polk Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to William Bigelow, for S.N.O.B. located at 1327 Polk Street, will

serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 393-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use Committee

041741 **[Castro Street and Upper Market Neighborhood Commercial Districts - Exemption of certain entertainment permits from the conditional use process]** Supervisor Dufty

Ordinance amending the San Francisco Planning Code by amending Section 715.48 and Section 721.48 to provide that existing bars in the Castro Street and Upper Market Neighborhood Commercial Districts will be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; adopting findings.

Enacted Number: 101-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

050662 **[Appointment - Urban Forestry Council]**

Resolution appointing Lena Miller, term ending April 5, 2007, to the Urban Forestry Council.

Lena Miller, succeeding Dhaya Lakshminarayanan, term expired, seat 8, must be a representative of the community, for the unexpired portion of a two-year term ending April 5, 2007.

Enacted 407-05

Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050809 [Appointment - Bicycle Advisory Committee]

Resolution appointing Andrew Bindman, term ending November 19, 2006, to the Bicycle Advisory Committee.

Andrew Bindman, succeeding Andrew Thornley, resigned, seat 1, must be a nominee of District 1 Supervisor. The member must serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2006.

Enacted 395-05
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050813 [Appointment - Sunshine Ordinance Task Force]

Resolution appointing Bruce Wolfe and Nicholas Mueller, terms ending April 27, 2006 and Marjorie Ann Williams, term ending April 27, 2007, to the Sunshine Ordinance Task Force.

Bruce Wolfe, succeeding Garrett Jenkins, resigned, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2006 (can be designated for a disabled person). Nicholas Mueller, succeeding Alexandra Nickliss, resigned, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2006. Marjorie Ann Williams, succeeding herself, term expired, seat 11, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2007 (can be designated for a disabled person).

Enacted 396-05
Number:

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to rescind the previous vote.

Motion to rescind the previous vote carried without objection.

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

Severed from the Consent Agenda

050806 [Appointment - Animal Control and Welfare Commission]

Resolution appointing Gerald Yeager, William Hamilton, Sherri Franklin and Richard Schulke, terms ending April 30, 2007, to the Animal Control and Welfare Commission, residency requirement waived.

Gerald Yeager, succeeding Elissa Eckman, term expired, seat 3, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007. William Hamilton (residency requirement waived), succeeding Chin Chi, term expired, seat 4, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007. Sherri Franklin, succeeding herself, term expired, seat 5, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007. Richard Schulke, succeeding Susan Kendall Wheeler, term expired, seat 6, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007.

Supervisor Dufty requested that the appointment of William Hamilton to the Animal Control and Welfare Commission be divided.

DIVIDED

Resolution appointing Gerald Yeager, Sherri Franklin and Richard Schulke, terms ending April 30, 2007, to the Animal Control and Welfare Commission.

Gerald Yeager, succeeding Elissa Eckman, term expired, seat 3, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007. Sherri Franklin, succeeding herself, term expired, seat 5, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007. Richard Schulke, succeeding Susan Kendall Wheeler, term expired, seat 6, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050962 **[Appointment - Animal Control and Welfare Commission]**

Resolution appointing William Hamilton term ending April 30, 2007 to the Animal Control and Welfare Commission, residency requirement waived.

William Hamilton (residency requirement waived) succeeding Chin Chi, term expired, seat 4, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2007.

Enacted Number: 405-05

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 3 - Daly, Dufty, McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

050912 **[Adopting findings related to affirming the categorical exemption for 2506 Union Street]**

Motion adopting findings affirming the determination by the Planning Department that the 2506 Union Street project is categorically exempt from

environmental review under the California Environmental Quality Act. (Clerk of the Board)

(Companion measure to Files 050664, 050665, 050666, 050667.

Enacted Number: M05-83

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

050913 [Adopting findings related to affirming the categorical exemption for 755-22nd Avenue]

Motion adopting findings affirming the determination by the Planning Department that the 755-22nd Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-84

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Recommendation of the Government Audit and Oversight Committee

050745 [Water Rates] Mayor, Supervisor Ammiano

Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco.

(Fiscal impact.) (Supervisor Mirkarimi dissenting in committee.)

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 106-05

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Absent: 1 - Alioto-Pier

NEW BUSINESS

Supervisor Alioto-Pier was noted present at 2:10 p.m.

Recommendations of the Budget and Finance Committee

Recess

The Board recessed at the hour of 2:26 p.m.

Reconvening of the Board

The Board at the hour of 2:32 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

Maxwell, Mirkarimi, Peskin, Sandoval - 10

Quorum present.

050329 **[Parking Permits]**

Ordinance amending San Francisco Traffic Code sections 308, 308.1, 308.3, and repealing section 314, to: clarify the requirements for issuance of Residential Parking Permits; increase parking permit fees for Residential Parking Permits and Health Care Worker Permits to sixty dollars ($60) if purchased in the first six months of the permit year or thirty dollars ($30) if purchased in the last six months of the permit year; increase Educational Institution Permits to sixty dollars ($60) for each permit regardless of the date of purchase or repurchase; increase temporary parking permit fees for Residential Parking Permits to twenty dollars ($20) for each week for up to four weeks or forty dollars ($40) for a four week permit; increase visitor parking permit fees for Residential Parking Permits to five dollars ($5) per day, twenty dollars ($20) for two consecutive weeks, thirty dollars ($30) for four consecutive weeks, forty dollars ($40) for six consecutive weeks, or fifty dollars ($50) for eight consecutive weeks; and, delete previous permit fee amounts. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

050371 [Contractor Permit Fee]

Ordinance amending San Francisco Traffic Code section 202.C to add a provision that contractor permits may be issued for six consecutive months that begin on December 1st, to delete a provision that no more than five additional contractor permits may be issued to any contractor who is not eligible to apply for exclusive temporary use of parking meter zones, and to increase the contractor parking permit fee from $325 to $500 if purchased in the first six months of the year and from $225 to $250 if purchased in the last six months of the permit year. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

050372 [Parking Fine Penalty Schedule]

Ordinance amending San Francisco Traffic Code section 132 to increase penalties for various parking related violations, and to correct the penalties for Vehicle Code sections 22523A and 22523B by decreasing the penalties to $200 and section 22526B by decreasing the penalty to $100. (Municipal Transportation Agency)

(Supervisor Daly Dissenting in Committee)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin
Noes: 4 - Ammiano, Daly, Mirkarimi, Sandoval

050370 [Parking Meter Rates]

Ordinance amending the San Francisco Traffic Code by amending Section 203.1 to increase the rate for parking meters in Parking Meter Area Number One to three dollars ($3.00) an hour, by amending Sections 203.2 and 203.4 to increase the rate for parking meters in Parking Meter Areas Numbers Two and Four to two dollars and fifty cents ($2.50) an hour, and by amending Section 203.3 to increase the rate for parking meters in Parking Meter Area Number Three to one dollar and fifty cents ($1.50) an hour. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin
Noes: 4 - Ammiano, Daly, Mirkarimi, Sandoval

Recommendations of the Budget and Finance Subcommittee

Supervisor McGoldrick was noted present at 2:34 p.m.

050215 **[Revision of the recourse hearing procedures for public work prevailing wage violations]** Supervisors Ammiano, Peskin

Ordinance amending San Francisco Administrative Code Section 6.22, at subsection 6.22(E)(8)(c), to revise the recourse hearing procedures for contractors challenging forfeitures for prevailing wage violations on public work projects.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

041766 **[Airport Concession Lease]**

Resolution approving Amendment No. 5 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)

Enacted Number: 410-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

050554 **[Traffic Regulations - Potrero Avenue Corridor]** Supervisors Ammiano, Maxwell

Resolution enacting and rescinding various parking and traffic regulations on the Potrero Avenue Corridor including lane reductions, crosswalk improvements, north and south bound bicycle lanes and a northbound bus lane at various locations on Potrero Avenue, between 17th and 25th Streets.

BIKE LANES - ESTABLISH
Potrero Avenue, northbound and southbound from 17th Street to 50 feet south of 25th Street;

BUS, TAXI AND RIGHT TURN ONLY LANE - ESTABLISH
Potrero Avenue, northbound, from 220 feet south of 23rd Street to 100 feet north of 22nd Street;

NO LEFT TURNS - ESTABLISH
Potrero Avenue, northbound, at 23rd Street;
Potrero Avenue, northbound, at 25th Street;
Potrero Avenue, southbound, into San Francisco General Hospital driveway south of 21st Street;

NO LEFT TURNS - RESCIND
Potrero Avenue, southbound, at 17th Street;

NO LEFT TURNS 3:30 PM TO 7 PM MONDAY THROUGH FRIDAY - RESCIND
Potrero Avenue, northbound, at 24th Street.

NO U-TURNS - ESTABLISH
Potrero Avenue, southbound, at 22nd Street;
Potrero Avenue, northbound, at 22nd Street.;

TOW-AWAY, NO STOPPING ANY TIME - ESTABLISH
Potrero Avenue, east side, from 50 feet south of 23rd Street to 23rd Street;
Potrero Avenue, east side, from 23rd Street to the existing bus bulb, 310 feet north of 23rd Street;
Potrero Avenue, east side from 50 feet south of 22nd Street to 22nd Street;
Potrero Avenue, east side, from 22nd Street north to 160 feet north of 22nd Street.

TOW-AWAY, NO STOPPING 7 AM - 9 AM and 4 PM - 6 PM, MONDAY - FRIDAY - ESTABLISH

23rd Street, north side, from Potrero Avenue to 75 feet easterly;
23rd Street, south side, from Potrero Avenue to 52 feet westerly;

CROSSWALK CLOSURE
Potrero Avenue, north side at 23rd Street (western leg);

MIDBLOCK CROSSWALK - ESTABLISH
Potrero Avenue, approximately 360 feet north of the 23rd Street (west) intersection.

Enacted Number: 391-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

050547 [Soil Boring and Well Regulation Ordinance] Supervisor Peskin

Ordinance amending the San Francisco Health Code by deleting Section 659 and adding a new Article 12B to establish a regulatory program for the construction, modification, operation, and destruction of soil borings and wells, including both non-production and water wells, to protect the public health and safety and the integrity of the City's groundwater resources by requiring anyone who proposes to construct, modify, operate, maintain or destroy a well or soil boring to obtain a permit; amending Section 249.13 of the San Francisco Business and Tax Regulations Code to set forth the annual fee for the permit; and amending Section 3101 of the Health Code to renumber the reference to section 659 of the Health Code to Article 12B.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050592 [Supporting non-discrimination in health care services for Transgender people] Supervisors Dufty, Ammiano, McGoldrick

Resolution supporting non-discrimination in health care services for Transgender people, and endorsing AB 1586.

Enacted Number: 413-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050786 [Allocation of McKinney-Vento Funds] Supervisors Daly, Ammiano

Resolution urging the City to keep an open dialogue with the homeless community to ensure effective decision making and to comply with requests made by the McKinney Subcontractors for the allocation and oversight of the McKinney-Vento Targeted Homeless Assistance Grant funding.

(Supervisor Ma Dissenting in Committee.)

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 418-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma

050573 [Deleting References to Traffic Zone No. 1]

Ordinance repealing San Francisco Traffic Code sections 3.6, 10, 20, 35, 88, and 89, and amending San Francisco Police Code section 1320.10, to delete references to Traffic Zone No. 1. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use Committee

050349 **[Bicycle Plan Policy Framework adoption and related General Plan amendments]** — Mayor, Supervisors McGoldrick, Mirkarimi, Maxwell, Ammiano

Ordinance amending the San Francisco General Plan in connection with the San Francisco Bicycle Plan: Policy Framework; adopting environmental findings and findings that the General Plan amendment is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; adopting the Bicycle Plan: Policy Framework; and authorizing official acts in connection thereto.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050432 **[Grant of Federal Funds - MTA]** — Mayor

Resolution authorizing the Municipal Transportation Agency Board to accept and expend $9,200,000 of Federal Formula Section 5307 Capital Assistance for the purchase of an Overhead Lines Maintenance Facility and for required renovations to the property, excluding administrative overhead costs.

Enacted Number: 408-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

050816 **[Confirming Edwin Lee as City Administrator]** — Mayor, Supervisor Elsbernd

Motion confirming Edwin Lee as City Administrator.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: M05-79

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050820 **[Off-Site Government Audit and Oversight Committee Meeting on June 18, 2005, 2:00 p.m.** — Supervisors Peskin, Mirkarimi, Elsbernd

to 4:00 p.m., at the California State Building Auditorium, 455 Golden Gate Avenue]

Motion scheduling a special off-site meeting of the Government Audit and Oversight Committee on Saturday, June 18, 2005, 2:00 p.m. to 4:00 p.m., at the California State Building Auditorium, 455 Golden Gate Avenue, for the purpose of receiving community input regarding the status of Laguna Honda Hospital.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: M05-80

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Peskin welcomed, introduced, and presented a Certificate of Honor to Colleen Montoya, Executive Director, Youth Commission.

Gloria L. Young, Clerk of the Board, expressed her gratitude for Ms. Montoya's leadership as Executive Director of the Youth Commission.

Supervisor McGoldrick welcomed, introduced, and presented a Certificate of Honor to Catherine Margerin.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

050823 **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**

Hearing to consider the possible adoption of an Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board.

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

050822 **[Reenacting a Disadvantaged Business Enterprise Program]** Supervisor Ammiano

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Enacted Number: 102-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Alioto-Pier provided the Board an update on the State Legislation Committee on which she represents the Board of Supervisors.

Supervisor Ammiano provided the Board an update on the Golden Gate Bridge District and LAFCO on which he represents the Board of Supervisors.

PUBLIC COMMENT

Richard Ow, reject MTA budget

Mr. Paulsen, concerns on various issues

Mary Bull, Greenwood Earth Alliance, reject MTA budget

Marilyn Amini, refer resolution on environmental guidelines to committee

Male speaker, concerns regarding poor treatment of citizens

Eugene Gordon, Jr., concerns with George Washington and Thomas Jefferson being honored

Jeromey Nelson, reject MTA budget

Sara Norr, reject MTA budget

Lee Boldman, reject MTA budget

Male speaker, reject MTA budget

Mark Solomon, reject MTA budget

Terri Frey, concerns regarding parking fees and fines

True Blue, reject MTA budget

Elizabeth Alexander, reject MTA budget

Lary Holt, Skycap, concerns regarding $2 per bag charge by United Airlines

Jazzie Collins, reject MTA budget

Ellis McDonald, reject MTA budget

Casey Mills, Coalition for Transit Justice, reject MTA budget

Alice Mosley, Sierra Club, reject MTA budget

David, Central City Progressives, support Charter Amendment by Supervisor Ammiano and reject MTA budget

Bill Murphy, concerns for disabled Muni riders, reject MTA budget

Mr. Parker, reject MTA budget

Richard Marquez, reject MTA budget

Sue Vaughan, Green Party, reviewed with the Board the Muni's program to reduce emissions

Nichole Walters, Green Party, reject MTA budget

Bruce Wolfe, reject MTA budget and support discount Muni passes for college students

Rick Alberts, reject MTA budget

Female speaker, Visitacion Valley resident, reject MTA budget

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

050872 **[Declaring May 2005, Elder Abuse Awareness Month]** Supervisors Ma, Ammiano

Resolution declaring May 2005 to be "Elder Abuse Awareness Month" in the City and County of San Francisco.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 397-05

ADOPTED

050873 **[Declaring May 2005, Hepatitis Awareness Month]** Supervisors Ma, Ammiano

Resolution declaring May 2005 to be "Hepatitis Awareness Month" in the City and County of San Francisco.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 398-05

ADOPTED

050874 **[Commending Dave Garrison]** Supervisor Maxwell

Resolution commending Dave Garrison for his commitment to San Francisco

and for his years of service on behalf of his family and the community.

Enacted Number: 399-05
ADOPTED

050885 **[Urging Municipal Transportation Agency to make all enrolled San Francisco High School students eligible for their youth rate]** Supervisors Dufty, Ammiano, Ma

Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to make all enrolled San Francisco High School students eligible for their youth rate and to allow all current student identification cards as valid forms of identification.

Supervisors Ammiano and Ma requested to be added as co-sponsors.

Enacted Number: 401-05
ADOPTED

050890 **[Commending the SF Food Bank, St. Anthony Foundation, and Project Open Hand]** Supervisors Maxwell, Ammiano, Alioto-Pier, Elsbernd, Ma, McGoldrick, Dufty, Peskin, Mirkarimi

Resolution commending the San Francisco Food Bank, St. Anthony Foundation and Project Open Hand as well as more than 450 programs that distribute food in recognizing June 7, 2005 As National Hunger Awareness Day in San Francisco.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 403-05
ADOPTED

050892 **[Public Scoping Meeting - 55 Laguna Street]** Supervisors Mirkarimi, Dufty, Daly

Resolution urging the Planning Department to hold a public scoping meeting for the environmental review of the proposed project at 55 Laguna Street Housing Project.

Enacted Number: 419-05
ADOPTED

050895 **[Opposing the Reauthorization of Patriot Act Provisions]** Supervisors McGoldrick, Ammiano

Resolution urging Senator Barbara Boxer, Senator Dianne Feinstein and U.S.

Representative Nancy Pelosi to oppose any attempts to expand the Patriot Act, to prevent the reauthorization of any Patriot Act provisions, and to allow Patriot Act provisions to expire.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 416-05

ADOPTED

050896 **[Endorsing and expanding MTA "Class Pass" program by offering discount Muni Fast Passes to students/staff/faculty of local colleges and universities]** Supervisors McGoldrick, Elsbernd, Ammiano, Ma

Resolution endorsing the expansion of the Municipal Transportation Agency's (MTA) "Class Pass" program by developing more fare-free transit partnerships with San Francisco colleges and universities.

Supervisors Ammiano and Ma requested to be added as co-sponsors.

Enacted Number: 415-05

ADOPTED

050898 **[Endorsing State Legislation AB 749]** Supervisors Peskin, Elsbernd, Ammiano

Resolution endorsing Assembly Bill 749, introduced by Assemblyman Mark Leno, and urging the California State Legislature and the Governor of California to support this bill.

Supervisors Elsbernd and Ammiano requested to be added as co-sponsors.

Enacted Number: 411-05

ADOPTED

050899 **[Endorsing State Legislation AB 852]** Supervisors Peskin, Elsbernd, Ammiano

Resolution endorsing Assembly Bill 852, introduced by Assemblyman Mark Leno, and urging the California State Legislature and the Governor of California to support this bill.

Supervisors Elsbernd and Ammiano requested to be added as co-sponsors.

Enacted Number: 412-05

ADOPTED

050900 **[Sari Jo Wade Day]** Supervisor Peskin

Resolution declaring June 10, 2005 Sari Jo Wade Day in the City and County of San Francisco in honor of her extraordinary career and dedicated service

toward improving the public welfare of the children and families of this City.

Enacted Number: 404-05
ADOPTED

050886 **[Committee of the Whole - Health service reductions (Bielenson Hearing) June 21, 2005 at 3:00 p.m.]** Supervisor Ammiano

Motion scheduling the Board to sit as a Committee of the Whole to consider health service reductions (Bielenson Hearing), to be held on June 21, 2005 at 3:00 p.m.

Enacted Number: M05-81
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050904 **[Final Map for Blocks 9, 9A, 10 and 10A, Planned Development, Mission Bay South]**

Motion approving Final Map, Planned Development, Mission Bay (Blocks 9, 9A, 10 and 10A), a five-lot subdivision, being a Planned Development of Assessor's Block 8719, Lot 1 and a merger and resubdivision of Block 8720, lots 1 and 11; approving a public improvement agreement and easements related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works and Public Protection Committee)

Enacted Number: M05-78
APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Without Committee Reference

Supervisor Ammiano requested that this matter be severed so that it might be considered separately.

050888 **[Arts Task Force Appointment]** Supervisor Ammiano

Resolution adding a non-voting member from the Film Commission who shall be appointed by the Mayor of San Francisco.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution adding a non-voting member from the Film Commission to the Arts Advisory Task Force who shall be appointed by the Mayor of San Francisco.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano requested that this matter be severed so that it might be considered separately.

050884 **[Congratulating S.F. Archbishop William Levada on his appointment as the new prefect of the Congregation for the Doctrine of Faith]** Supervisors McGoldrick, Maxwell, Elsbernd

Resolution congratulating San Francisco Archbishop William Levada on his appointment as the highest-ranking American in Catholic church history, the prefect of the Congregation for the Doctrine of Faith.

Supervisor Ammiano requested that this matter be referred to Committee.

Supervisors Maxwell and Elsbernd requested to be added as co-sponsors.

REFERRED to the Government Audit and Oversight Committee.

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

050897 **[Adopting findings related to the final subdivision map disapproval for property located at 400-410 Vallejo Street]** Supervisor Peskin

Motion adopting findings related to the disapproval of a final subdivision map for a 6-unit condominium subdivision for property located at 400-401 Vallejo Street (Assessor's Block 133, Lot 11).

Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved to refer this matter to committee.

Motion to refer this matter carried without objection.

REFERRED to the Land Use Committee.

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

050893 **[Conform Environmental Guidelines to Transit First Policy]** Supervisors Mirkarimi, Ammiano

Resolution urging the Planning Commission to set policy directing the Environmental Review Officer to modify local Environmental Review guidelines to remove the requirement that an Environmental Impact Report is required when a lane of automobile traffic is replaced with a bicycle or pedestrian facility under certain circumstances.

Supervisor Alioto-Pier requested that this matter be referred to Committee.

Supervisor Ammiano requested to be added as a co-sponsor.

REFERRED to the Land Use Committee.

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately

050875 **[Commending Saint Ignatius College Preparatory on its 150 years of Jesuit Education]** Supervisors Elsbernd, Sandoval, Alioto-Pier, Ma, McGoldrick

Resolution commending Saint Ignatius College Preparatory on its 150 years of Jesuit Education in San Francisco.

Supervisor McGoldrick requested to be added as a co-sponsor.

Enacted Number: 400-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

050894 [Vigilante Border Patrol] Supervisors McGoldrick, Maxwell, Dufty, Sandoval, Ammiano

Resolution condemning Governor Schwarzenegger's support of the Minuteman Project and urging the State Attorney General as well as the State Legislature to take any necessary actions to prevent any form of vigilante patrol at the California-Mexico border.

Amended on page 1, line 3, by replacing "condemning" with "opposing"; and on page 2, line 13, by replacing "condemns" with "opposes. New Title.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution opposing Governor Schwarzenegger's support of the Minuteman Project and urging the State Attorney General as well as the State Legislature to take any necessary actions to prevent any form of vigilante patrol at the California-Mexico border.

Supervisor Ammiano requested to be added as a co-sponsor.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

050889 [Rejecting the MTA Budget] Supervisors Daly, Ammiano, Mirkarimi

Motion rejecting the Municipal Transportation Agency's proposed FY 2005-2006 budget, finding that the public was deprived access to the MTA budget decision making process, requesting the MTA Board of Directors act on its budget at its next meeting, and urging the MTA to present a revised budget that does not increase commuter fares or lay off transit operators by June 16th.

(Fiscal impact.)

NOT APPROVED by the following vote:

Ayes: 3 - Ammiano, Daly, Mirkarimi
Noes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

050915 **[Appropriate funding from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05]** Supervisor Daly

Ordinance appropriating $51,000 from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05.

5/24/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050917 **[Planning Department fee increases and permit surcharge to cover costs of appeals to the Board of Supervisors]** Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Sections 352 and 355 and by amending the San Francisco Administrative Code by amending Section 31.22 to increase planning fees and add a surcharge to compensate the City for the costs of appeals to the Board of Supervisors; making environmental findings.

5/24/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050919 **[Capital Planning Fund]** Supervisor Elsbernd

Ordinance establishing a Capital Planning Fund to Receive and Expend Funds for Preliminary Design, Planning and Cost-Estimating of Major Capital Expenditure Projects.

5/24/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050920 **[San Francisco Capital Planning Plan and Committee]** Supervisor Elsbernd

Ordinance amending the San Francisco Administrative Code by repealing Sections 3.20, 3.21, 3.22 and 3.23 in their entirety; adding new Sections

3.20 and 3.21 to establish a requirement for a ten-year capital plan and to replace the Capital Improvements Advisory Committee with the Capital Planning Committee, to assign administrative responsibilities to the City Administrator, to broaden committee membership, and to clarify the committee's mission.

5/24/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050921 **[Waiver of payment of fees for police and fire services for 2004 Juneteenth Festival]** Supervisor Mirkarimi

Ordinance waiving payment of police and fire services incurred by the San Francisco Juneteenth Committee for the production of the 2004 Juneteenth Festival.

5/24/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050922 **[Payroll Expense Tax Exclusion for Qualified Renewable Energy Businesses]** Supervisors McGoldrick, Mirkarimi

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for qualified renewable energy businesses, as specified.

5/24/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050932 **[Street Resurfacing, Pedestrian Safety and Access Improvement Bond Special Election]** Supervisors Ammiano, Peskin

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on Tuesday, November 8, 2005, for the purpose of submitting to the voters of the City a proposition to incur the following bonded debt of the City: Two Hundred and Eight Million Dollars ($208,000,000) to finance street reconstruction, pavement renovation, disabled access curb ramp construction, sidewalk and street improvements, street structure rehabilitation and improvements, pedestrian safety street and signal improvements, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated costs of such proposed projects are and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot questions imposed by San Francisco Municipal Elections Code Section 510; complying with Section

53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

5/24/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050935 **[Increasing fee for Educational Institution Permits and authorizing exemption from Residential Parking Permit regulations for itinerant School District teachers and administrators]** Supervisor Ammiano

Ordinance amending the San Francisco Traffic Code by amending section 308.3 to (1) increase the annual fee for Educational Institution Permits for teachers by tying the fee to the cost of Residential Parking permits issued to residents; and (2) authorize the Director of Parking and Traffic to issue permits that would exempt itinerant teachers and designated school administrators employed by the San Francisco Unified School District from Residential Permit Parking regulations.

5/24/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 6/23/2005.

Resolutions

050884 **[Congratulating S.F. Archbishop William Levada on his appointment as the new prefect of the Congregation for the Doctrine of Faith]** Supervisors McGoldrick, Maxwell, Elsbernd

Resolution congratulating San Francisco Archbishop William Levada on his appointment as the highest-ranking American in Catholic church history, the prefect of the Congregation for the Doctrine of Faith.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/24/05, REFERRED to Government Audit and Oversight Committee. Supervisor Ammiano requested that this matter be referred to Committee. Supervisors Maxwell and Elsbernd requested to be added as co-sponsors.

050897 **[Adopting findings related to the final subdivision map disapproval for property located at 400-410 Vallejo Street]** Supervisor Peskin

Motion adopting findings related to the disapproval of a final subdivision map for a 6-unit condominium subdivision for property located at 400-401 Vallejo Street (Assessor's Block 133, Lot 11).

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/24/05, REFERRED to Land Use Committee. Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved to refer this matter to committee. Motion to refer this matter carried without objection.

050893 **[Conform Environmental Guidelines to Transit First Policy]** Supervisors Mirkarimi, Ammiano

Resolution urging the Planning Commission to set policy directing the Environmental Review Officer to modify local Environmental Review guidelines to remove the requirement that an Environmental Impact Report is required when a lane of automobile traffic is replaced with a bicycle or pedestrian facility under certain circumstances.

5/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/24/05, REFERRED to Land Use Committee. Supervisor Alioto-Pier requested that this matter be referred to Committee. Supervisor Ammiano requested to be added as a co-sponsor.

050916 **[Community Choice Aggregation Implementation Plan]** Supervisors Ammiano, Mirkarimi

Resolution approving a Community Choice Aggregation (CCA) Implementation Plan (IP).

(Fiscal impact.)

5/24/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050923 **[Resolution of Intention to form the Noe Valley Community Benefit District (CBD)]** Supervisor Dufty

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

5/24/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050924 **[Resolution of Intention to form the Castro/Upper Market Community Benefit District (CBD)]** Supervisor Dufty

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

5/24/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood

Services Committee.

050934 **[Ground Lease of Redevelopment Agency Land for 275 10th Street Supportive Housing]** Supervisor Daly

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3518, Lots 14, 17 and 29, San Francisco, California (the "Site"), to EPISCOPAL COMMUNITY SERVICES OF SAN FRANCISCO, a California nonprofit public benefit corporation, for 65 years for the purpose of developing housing for very low income households; adopting findings pursuant to Section 33433 of the California Community Redevelopment Law.

5/24/05, RECEIVED AND ASSIGNED to Board of Supervisors.

050936 **[Interdepartmental jurisdictional transfer of Hayes Green Park]** Mayor

Resolution transferring jurisdiction over Hayes Green Park, located on Octavia Boulevard, between Hayes Street and Fell Street, from the Department of Public Works to the Recreation and Park Department for park and open space uses; adopting Findings pursuant to California Environmental Quality Act; and adopting Findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

5/24/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

050937 **[Accept-Expend Grant from Transportation Development Act (TDA) for Various Pedestrian and Bicycle Projects]** Supervisor McGoldrick

Resolution authorizing the Director of Transportation of the Municipal Transportation Agency (or his designee) and the Director of the Department of Public Works to accept and expend state Transportation Development Act (TDA) Article 3 funds totaling $900,000 for FY 2005-06 for various pedestrian and bicycle projects in the City and County of San Francisco.

5/24/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

050940 **[Supporting AB 772 and SB 437 - Health Coverage for Children]** Supervisors Ammiano, Mirkarimi, Daly

Resolution supporting State Assembly Bill 772 and State Senate Bill 437.

5/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050941 **[Supporting the Presidio Child Development Center]** Supervisors Alioto-Pier, Elsbernd

Resolution supporting the Presidio Child Development Center, and urging the San Francisco Unified School District Superintendent and School Board not to close the Center.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050942 **[Commending GLAAD for moving the 16th Annual Media Awards to Fort Mason Pavilion]** Supervisors Dufty, Ammiano, Daly

Resolution commending GLAAD for moving the 16th Annual Media Awards to Fort Mason Pavilion.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050943 **[Endorsing the elimination of the "Don't Ask, Don't Tell" policy and adoption of a policy of nondiscrimination on the basis of sexual orientation within the United States Armed Forces]** Supervisors Dufty, Ammiano, Mirkarimi, Daly

Resolution endorsing Senate Joint Resolution 11, urging the President and the United States Congress to adopt the Military Readiness Enhancement Act of 2005 (H.R. 1059), which eliminates the "Don't Ask, Don't Tell" policy and adopts a policy of nondiscrimination on the basis of sexual orientation within the United States Armed Forces.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050944 **[Supporting AB 1605 (Wolk and Berg) and SB 1018 (Simitian)]** Supervisors Ma, Maxwell, Dufty

Resolution urging the support of AB 1605 (Wolk and Berg) and SB 1018 (Simitian), which would establish the Elder Financial Abuse Reporting Act of 2005.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050945 **[Supporting AB 22 (Lieber)]** Supervisors Ma, Maxwell, Dufty, Mirkarimi

Resolution urging the support of AB 22 (Lieber), the California Trafficking Victims Protection Act.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050946 **[Support Assembly Bill 528 - Public Health and Environmental Enforcement Law of 2005]** Supervisor Mirkarimi

Resolution urging San Francisco's legislative delegation to support, the California Legislature to pass, and the Governor to sign Assembly Bill 528 -- Public Health and Environmental Enforcement Law of 2005.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050947 **[Issuance and Sale of Revenue Bonds - Music Concourse Community Partnership]** Supervisor Peskin

Resolution approving the issuance and sale of revenue bonds and/or revenue bond anticipation notes by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $32,000,000 for the Music Concourse Community Partnership.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050948 **[Urging the 109th Congress to pass S 910 and HR 1849, the Breast Cancer Patient Protection Act of 2005]** Supervisor Sandoval

Resolution urging the 109th Congress to pass S 910 and HR 1849, the Breast Cancer Patient Protection Act of 2005, requiring a post-mastectomy hospital stay to be determined by the patient and her doctor, not an insurance company.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050963 **[Commending and congratulating Ignacio Chapela on receiving tenure at the University of California at Berkeley]** Supervisors Sandoval, Mirkarimi, McGoldrick, Maxwell

Resolution commending and congratulating Ignacio Chapela on his receipt of tenure at the University of California at Berkeley.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050964 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]** Mayor

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $250,000 from the Office of Justice Programs, Bureau of Justice Assistance (BJA) for the purpose of enhancing and implementing sex offender management practices

for offenders under community supervision through the 2004 Sex Offender Management Discretionary Grant Program.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

050965 [Accept-Expend Private Grant - Mayor's Office of Criminal Justice] Mayor

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $15,000 from the Northern California Mechanical Contractors Association (MCA) for the purpose of the arrest and conviction of Mr. Victor Bach's murderer.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

050933 [Hearing - Ground Lease of Redevelopment Agency Land for 275 10th Street Supportive Housing]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3518, Lots 14, 17 and 29, which is located on the southeast corner of Folsom and Dore Streets and fronts 10th Street, San Francisco, California (the "Site"), to EPISCOPAL COMMUNITY SERVICES OF SAN FRANCISCO, a California nonprofit public benefit corporation, for 65 years for the purpose of developing housing for very low income households; adopting findings pursuant to Section 33433 of the California Community Redevelopment Law. (Clerk of the Board)

5/24/05, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on _____ at ____p.m.

050938 [Catering Permitted Around Schools] Supervisors Ma, Maxwell, Dufty

Hearing to review catering trucks located near schools, including the total number of licenses and routes permitted around schools and licensing requirement enforcement.

5/24/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/03/05 - Referred to the Youth Commission for comment.

050939 [Controller's Laguna Honda Replacement Project Supervisor Elsbernd

Report]

Hearing on the Controller's Laguna Honda Replacement Project Report.

5/24/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Motion

050914 **[Needle Exchange Emergency]** Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
Version.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

050918 **[Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]** Supervisor Elsbernd

Charter Amendment (First Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

5/24/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2005. 6/3/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning, Environmental Review Officer; Budget Analyst.

050925 **[Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records** Supervisor Alioto-Pier

Charter Amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and

public records laws.

5/24/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2005. 6/3/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning, Environmental Review Officer; Budget Analyst; Clerk of the Board; Elections.

050926 **[Charter Amendment - Neighborhood Parking Meter Improvement Districts]** Supervisor Alioto-Pier

Charter Amendment (First Draft) to add Section 8A.114 to provide that the Board of Supervisors may create "Neighborhood Parking Meter Improvement Districts" by ordinance, require the operation of parking meters on Sundays in specified Neighborhood Parking Meter Improvement Districts, and require that the revenue raised from the Sunday operation of parking meters in a Neighborhood Parking Meter Improvement District, less any operational costs for enforcement, be used for pedestrian, street, and neighborhood improvements in that district.

(Fiscal impact.)

5/24/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2005. 6/3/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning, Environmental Review Officer; Budget Analyst; Clerk of the Board; Small Business Commission; DPT; SFPD.

050927 **[Charter Amendment - Imposing term limits and a new residency requirement for members of City boards and commissions; limiting hold-over appointments]** Supervisor Peskin

Charter Amendment (First Draft) to add Section 4.101.5 to impose term limits and a new residency requirement for members of City boards and commissions and to limit hold-over appointments.

5/24/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2005. 6/3/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning, Environmental Review Officer; Budget Analyst; Clerk of the Board.

050928 **[Charter Amendment - Ethics Commission Charter Amendment]** Supervisor Mirkarimi

Charter Amendment (First Draft) to amend section C3.699-14 to establish a budget process for the Ethics Commission and add section C3.99.15 to authorize the hiring of outside counsel for specified conflicts.

(Fiscal impact.)

5/24/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2005. 6/3/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning,

Environmental Review Officer; Budget Analyst.

050929 **[Charter Amendment - MTA budget to be accountable to Mayor and Board of Supervisors; Board of Supervisors to approve Director's contract; MTA compliance with voter-approved ordinances;** Supervisor Sandoval

Charter Amendment (First Draft) to amend Sections 8A.102, 8A.103, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

5/24/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2005. 6/3/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning, Environmental Review Officer; Budget Analyst; Elections; MTA.

050930 **[Charter Amendment - Authorizing City departments, including the Board of Supervisors, to post notices on the department's website rather than publishing them in the official newspaper]** Supervisor McGoldrick

Charter Amendment (First Draft) to amend Sections 2.103, 2.108, 2.117, 16.112, and Article XVII, to: (1) authorize City departments, including the Board of Supervisors, to post various notices on the department's website rather than publishing them in the City's official newspaper; and (2) assign individual section numbers to the definitions contained in Article XVII.

5/24/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2005. 6/3/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning, Environmental Review Officer; Budget Analyst; Clerk of the Board.

050931 **[Charter Amendment - Provide retirement benefits for City employees on a par with other Bay Area cities and counties]** Supervisor Daly

Charter Amendment (First Draft) to amend sections A8.509, A8.526, A8.587, and 12.100 relating to retirement benefits for miscellaneous officers and employees.

(Fiscal impact.)

5/24/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2005. 6/3/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning, Environmental Review Officer; Budget Analyst; Retirement System; Civil Service; DHR; DHR-ERD; Health Service.

PROPOSED ORDINANCES

050862 [Rincon Hill Area Plan Amendments]

Ordinance amending the San Francisco General Plan by amending the Rincon Hill Area Plan, the Urban Design Element, the Recreation and Open Space Element, the Downtown Plan, the South of Market Area Plan, and the Land Use Index to conform them with proposed Rincon Hill Downtown Residential District; adopting environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

5/9/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee.

050863 [Zoning Map Amendments - Rincon Hill Downtown Residential District]

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change Maps 1, 1H, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; adopting findings. (Planning Department)

5/9/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/23/2005.

050864 [Downtown Residential Districts]

Ordinance amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing), Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section

207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

5/9/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 6/23/2005.

050865 **[Imposing development impact fees for the provision of necessary community infrastructure in DTR Districts]**

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees on residential development in the DTR districts to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure. (Planning Department)

5/9/05, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

050858 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Shotwell Street, west side, between the driveways of 908 and 910 Shotwell Street (a 13-foot zone accommodating 2 motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hillpoint Street, both sides, north of Parnassus Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Paulding Street, north side, from Arago Street to 115 feet westerly.

2-HOUR PARKING, 9 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
Bayshore Boulevard, west side, from 130 feet to 333 feet north of Costa Street (in front of addresses 220 - 232 Bayshore Boulevard).

1-HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
5th Street, west side, between Brannan and Bryant Streets.

NO PARKING ANYTIME - ESTABLISH
Vidal Street, both sides, between the north and south intersections with Higuera Avenue.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Valencia Street, west side, between 26th Street and Cesar Chavez Street.

1-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Capitol Avenue, both sides, from Ocean Avenue to DeMontefort Avenue.

2-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Capitol Avenue, east side, from Ocean Avenue to DeMontefort Avenue.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
PARKING METER AREA NO.1 - ESTABLISH
Mission Street, south side, between Beale Street and Main Street

ANGLE PARKING (45 DEGREES) - RESCIND
ANGLE PARKING (60 DEGREES) - ESTABLISH
Ulloa Street, south side, from 33rd Avenue to 110 feet westerly (converts angle parking from 45 degrees to 60 degrees, gaining three parking spaces).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
25th Street at Kansas Street, along the western terminus. (Parking and Traffic Department)

(5/10/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2999.)

5/10/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 05/23/05 - Parking and Traffic notified to post notices and ad place in the 05/28/05 edition of the SF Chronicle.

050859 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Front and Vallejo Streets, stopping Front Street at Vallejo Street, making this intersection an All-Way STOP;
Alabama and Mariposa Streets, stopping Mariposa at Alabama Street, making intersection an All-Way STOP;
Manchester and Stoneman, stopping Manchester at Stoneman, establishing two-way STOP control;
Quintara and 15th Avenue, stopping eastbound Quintara at 15th Avenue and Fanning Way, making this intersection an All-Way STOP; and,
24th and York Streets, stopping 24th Street at York Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(5/10/05: Categorically exempt from Environmental Review Class 1(c)(9)

changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2999.)

5/10/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 05/23/05 - Parking and Traffic notified to post notices and ad place in the 05/28/05 edition of the SF Chronicle.

050860 [Settlement of Claim - John Yee]

Resolution approving the settlement of the unlitigated Claim No. 05-00923 filed by John Yee on September 15, 2004, against the City and County of San Francisco for $46,500.00. (City Attorney)

5/16/05, RECEIVED AND ASSIGNED to Rules Committee.

050903 [Settlement of Claim - Food Service & Management LP]

Resolution approving the settlement of the unlitigated Claim No. 05-02866 filed by Food Service & Management LP on March 8, 2005, against the City and County of San Francisco for $25,038.57. (City Attorney)

5/16/05, RECEIVED AND ASSIGNED to Rules Committee.

050905 [Acceptance of Gift - Police Department's K-9 Unit]

Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of fifty thousand ($50,000.00) to use for the betterment of dogs in the Department's K-9 Units. (Police Department)

5/16/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, MTA

Requesting/Inquiring: To report on the feasibility of establishing a three-way stop sign at the intersection of Willard and Frederick Streets.

Cc: Mr. Larry Burgheimer

611 Frederick Street

San Francisco, CA 94118

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the repair of the street light that is out at 2024 Hayes Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of the implementation of traffic calming on 12th Avenue between Lincoln and Irving.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: To report on the feasibility of the implementation of traffic calming on Laguna between Bush and Pine.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the repair of the broken main cover on the south side of Grove and Fillmore.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To report on the status of the abandoned bicycle locked to a sign at the intersection of Grove and Fillmore.

From: Supervisor Daly

To: Auditor, City Services

Requesting/Inquiring: Inquiring about the process of non-profit contractor selection for audit schedule.

In Memoriams

Judge Richard Bancroft (Supervisor Maxwell)

Robert Davolt (Supervisor Dufty)

Raymond Bergez (Supervisor Elsbernd)

Dr. Robert J. Lull (Entire Board)

Charles Baker (Supervisor Maxwell)

Bruce Franks (Supervisor Maxwell)

Cheyenne Bell (Supervisor Maxwell)

ADJOURNMENT

There being no further business the Board adjourned at the hour of 6:58 p.m.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy

of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

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